



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-1-3**

**Issued: TN R7-18, 1/26/1986
Revised: TN R7-133, 4/29/2019**

CHAPTER 1

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

Occupational Health and Safety

1. **AUTHORITY.** To take specific actions with respect to the Occupational Safety and Health Act of 1970 (P.L. 91-596), Executive Order 12196, other safety related laws, and Federal Safety requirements and regulations.
2. **TO WHOM REDELEGATED.** Director of the Mission Support Division.
3. **LIMITATION.** Authority delegated above applies to all Agency activities within the region. This authority will be exercised in accordance with policy issuances of the Office of Administration.
4. **REDELEGATION AUTHORITY.**
 - a. Further redelegation is not authorized.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-1-4A**

**Issued: TN R7-23, 8/23/1986
Revised: TN R7-133, 4/29/2019**

CHAPTER 1

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

Personal Property and Government-Owned Vehicles

1. AUTHORITY.

- a. To make determinations and grant exemptions required by law or regulation regarding personal property management in accordance with the Federal Property and Administrative Services Act of 1949, 40 U.S.C. 471 et seq., and FPMR, 41 CFR 101;
- b. To sell, or declare excess or surplus, Government personal property; and
- c. To make determinations required by law or regulation regarding the use or transfer of government-owned vehicles.

2. TO WHOM REDELEGATED. Director of the Mission Support Division.

3. LIMITATIONS.

- a. Authority to exempt motor vehicles from conspicuous U.S. Government identification and to approve the permanent assignment of a government vehicle between residence and place of employment to perform field work is reserved to the Administrator.
- b. Authorities delegated above apply to all Agency activities within Region VII. These authorities will be exercised in accordance with policy issuances of the Office of Administration and Resources Management.
- c. The following authorities are retained by the Director, Facilities and Support Services Division, Headquarters:
 - i. To authorize the disposal or donation of excess property in foreign countries.

- ii. Approval of requisitions for commercial U-drive credit cards.
- iii. Approval of requisitions for facsimile, magnetic card/type typewriters, and other terminal equipment requiring telecommunications capability.
- iv. Approval of requisitions for communications equipment utilizing the radio frequency spectrum.
- v. To authorize the acquisition or disposal of watercraft, etc.
- vi. To acquire or dispose of aircraft, to include fixed wing, helicopters, and seaplanes.
- vii. To approve requisitions for the acquisition of passenger-carrying vehicles and light duty trucks either by purchase, hire or lease for a period of 60 or more consecutive days and to certify the Agency's fleet average fuel economy.

4. REDELEGATION AUTHORITY.

- a. Further redelegation is authorized.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-1-5**

Issued: TN-18, 1/26/1986

CHAPTER 1

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

Printing and Publications

- 1. AUTHORITY.** To make certifications required by law or regulation with respect to printing and publications, in accordance with 44 U.S.C.
- 2. TO WHOM REDELEGATED.** Assistant Regional Administrator for Policy and Management, Administration and Information Management Branch, and Support Services Section Chief or his/her designee.
- 3. LIMITATIONS.**
 - a. Authority delegated to position above applies to all Agency activities within the region. The authority will be exercised in accordance with policy issuances of the Office of Administration and Resources Management.
 - b. Authority to acquire printing equipment and copying machines is retained by the Director, Facilities and Support Services Division.
- 4. REDELEGATION AUTHORITY.**
 - a. Further redelegation is authorized.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.** 1-5. Printing and Publications.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-1-10**

**Issued: TN 35, 6/27/1990
Revised: TN R7-131, 1/17/2017**

CHAPTER 1

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

ADP (OIRM)

1. **AUTHORITY.** To approve requisitions for microcomputer equipment, software and support services.
2. **TO WHOM REDELEGATED.** Region VII Senior Information Resources Management Official.
3. **LIMITATIONS.**
 - a. The authorities delegated and redelegated herein may be exercised only upon the approval of the organization's Personal Computer Acquisition and Management Plan by the Director, Office of Information Resources Management, and only in a manner that conforms to the provisions of the approved Plan.
 - b. Microcomputer equipment and software are to be obtained from contracts established by the Office of Information Resources Management unless the required items are not available from those contracts or the ordering organization first documents that it is in the interest of the Agency to obtain these products from another source, and such documentation has been reviewed and approved by the Senior Information Resources Management Official or, in the event that further redelegation has been made, by the field installation head.
 - c. Individual requisitions for microcomputer equipment and software that are to be obtained from sources other than the contracts established by the Office of Information Resources Management may not exceed \$50,000 within a single fiscal year without prior approval of the Director, Office of Information Resources Management.
 - d. Requisitions for microcomputer equipment and software that do not conform to Agency standards may not exceed the following dollar limits in any single fiscal year without the prior approval of the Director, Office of Information Resources Management.

- i. \$50,000 by each Assistant Administrator, Associate Administrator, the General Counsel, the Inspector General, Regional Administrator or their designated Senior Information Resources Management Official.
 - ii. \$10,000 for each major field site that has been redelegated authority to approve microcomputer requisitions pursuant to paragraph 3b, above.
- e. Requisitions that require synopsis in the Commerce Business Daily (i.e., sole source requisitions for specified make and model equipment costing \$10,000 or more, for open market purchases costing \$25,000 or more, and purchases from GSA Schedule contracts costing \$50,000 and more) require approval by the Director, Office of Information Resources Management, prior to publication of the synopsis.
 - f. Requisitions for local area network equipment or software must have prior approval from the Director, National Data Processing Division.
 - g. Requisitions approved pursuant to the authorities delegated and redelegated herein may not exceed the limits of the ADP procurement authority delegated to the Environmental Protection Agency by the General Services Administration.

4. REDELEGATION AUTHORITY.

- a. The authority to approve purchases of microcomputer peripherals, supplies, and software (i.e., standard packages such as, but not limited to, word processing, spreadsheets and graphics of \$1,000 or less) is redelegated to Chief, Information Management Branch and may not be redelegated further. Software for database management systems or languages are not included in this redelegation. Procurement shall not be split to stay within this dollar threshold. Chief, Information Management Branch, may choose to have these items purchased under the provisions of the Agency Bankcard Program. If the Bankcard is used, the Chief, Information Management Branch's signature is not required, but all limits and procedures of the Bankcard Program must be followed.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. 1-10 ADP.
- b. 1-10A OIRM Microcomputer Requirements.
- c. Memorandum, Morris Kay to Lee Thomas designating Susan Gordon as Senior Information Management Official, dated May 15, 1986.
- d. Memorandum, Alvin M. Pesachowitz to Senior IRM Officials, dated April 25, 1990.
- e. This delegation supersedes 1200 (R-24) dated April 3, 1987.

Delegation Superseded By:

Delegation Rescinded By: R7 TN 98, 3/3/2003, which issued new material under R7-1-84, entitled Information Resources Management.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-1-11

Issued: TN-85, 10/28/1999
Revised: TN R7-131, 1/17/2017

CHAPTER 1

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

Interagency Agreements

- 1. AUTHORITY.** To enter into (sign) agreements between EPA and other Federal agencies, State or Local governments or foreign governments which:
 - a. Provide for the furnishing of goods or services in exchange for the payment of an agreed amount of funds, or
 - b. Set forth basic policies and procedures governing their relationships on matters of mutual interest and responsibility under which no exchange of funds occurs.
- 2. TO WHOM REDELEGATED.**
 - a. Authority under paragraphs 1a and 1b, above, is delegated to Office and Division Directors.
 - b. Authority under paragraphs 1a, above, is delegated to the Grants Management Officer.
 - c. Authority to sign administrative non-monetary actions is delegated to Grants Management Specialists.
 - d. The Assistant Regional Administrator for Policy and Management may perform any authorities granted to the Grants Management Officer and Grants Management specialists under this delegation.
 - e. Authority under paragraphs 1a, and 1b, above, is delegated to the Emergency Support Function (ESF) 10 Regional Chair or the designee only: limited to actions under the Federal Response Plan when an emergency requires immediate action and the other Agency may not initiate activities without written authorization.
- 4. LIMITATIONS.**
 - a. The authority delegated is limited to agreements which originate in the Region.

- b. In accordance with the Federal Acquisition Streamlining Act, the Award official under paragraph 2a, above, may not sign an Interagency Agreement authorized by the Economy Act of 1932, which involves access to another Agency's contract, unless the Senior Resource Official approves a Determination and Finding in support of the Agreement.

5. REDELEGATION AUTHORITY.

- a. This authority may not be further redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

6. ADDITIONAL REFERENCES.

- a. Statutory authority for EPA to enter into Interagency Agreements is contained in the Economy Act of 1932, as amended (31 U.S.C. 1535), the Intergovernmental Cooperation Act of 1968, as amended (35 U.S.C. 6501), and in the "cooperation" provisions of EPA program statutes. In addition, EPA receives funds from US AID under Section 6.32 of the Foreign Assistance Act (22 U.S.C. 2392) and from the Department of State under Section 8 of the State Department Basic Authorities Act (22 U.S.C. 2675).
- b. As used in this delegation, the term "Interagency Agreements" includes agreements between EPA and other Federal Agencies (Interagency Agreements) and between EPA and State and local governments (Intergovernmental Agreements).
- c. These authorities shall be exercised in accordance with the policies and procedures set forth in the Assistance Administration Manual.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-1-14**

**Issued: TN-R-9, 10/05/1984
Revised: TN R7-131, 1/17/2017**

CHAPTER 1

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

Assistance Agreements

1. AUTHORITY.

- a. Actions under the National Response Framework when an emergency requires immediate action and the other agency may not initiate activities without written authorization may be redelegated from the regional administrator to the Emergency Support Function 10 Regional Chair or designee only.
- b. To take any administrative action, obligate funds, or make any final determination required by law or regulation with respect to fellowship, grant, cooperative and loan agreements (except those actions or determination required to be made by higher authority).

2. TO WHOM REDELEGATED.

- a. Authority to sign awards/amendments to obligate/deobligate funds and sign any other administrative action on behalf of EPA is delegated to the Grants Management Officer; and,
- b. Authority to sign administrative non-monetary actions is delegated to Grant Management Specialists.
- c. The Assistant Regional Administrator for Policy and Management may perform any authorities granted to the Grants Management Officer and the Grants Management Specialists under this delegation

3. LIMITATIONS.

- a. The authority of the delegates is limited to those financial assistance programs for which the Region has been delegated approval authority.

- b. These authorities must be practiced in accordance with the limitations and specifications established in the corresponding Headquarters delegation, (1-14 Assistance Agreements).

4. REDELEGATION AUTHORITY.

- a. This authority may not be further redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. This authority shall be exercised in accordance with the policies and procedures set forth in the General Assistance Regulations, (40 CFR Parts 30 and 31), other assistance and program regulations, the Assistance Administration Manual, and other delegations of authority in this manual relating to approval of fellowship, grant, cooperative and loan agreements under the following Act and EPA Order; the Federal Grant and Cooperative Agreement Act, (31 U.S.C. 6301), and EPA Order 5700.1. Policy for Distinguishing Between Assistance and Acquisition, March 22, 1994).

Delegation Superseded By:

Delegation Rescinded By:



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-1-15**

**Issued: TN 125, 12/9/2015
Revised: TN R7-131, 1/17/2017**

CHAPTER 1

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

Monetary Awards

- 1. AUTHORITY.** To approve monetary awards up to \$3,000 pursuant to Chapter 45, 5 U.S.C.
- 2. TO WHOM REDELEGATED.** Deputy Regional Administrator and Division/Office Directors.
- 3. LIMITATIONS.** (See Interim Process Below, effective 5/18/2016)
 - a. The authority to approve monetary awards between \$3,001 and \$10,000 is reserved for the Regional Administrator.
 - b. All monetary awards over \$2,000 must have a supervisor as the recommending official. (The requirement for two signatures does not apply to awards approved by the Regional Administrator.)
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be further redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. RATIFICATION.** To the extent that authority previously exercised may have been inconsistent with this redelegation, and may require ratification, it is hereby approved and ratified.
- 6. ADDITIONAL REFERENCES.**
 - a. 5 U.S.C. Chapter 45, 5 C.F.R., Part 451.

- b. EPA Manual 3130-A2, Recognition Policy and Procedures Manual, 11/27/2001.
- c. EPA Delegation 1-15, 4/7/2000.

INTERIM PROCESS: Per EPA HQ Memo, dated May 18, 2016, To: Regional Administrators, et al, with cc to Deputy Regional Administrators, Assistant Regional Administrators, Regional Human Resources Officers, From: Donna J. Vizian, Acting Assistant Administrator, Office of Administration and Resources Management, Subject: Interim Policy Change to the Monetary Awards Approval Process. Recent administrative updates to delegation 1-15, Monetary Awards; and, Manual 3130-A2, Recognition Policy, have been issued by HQ and posted. Refer to the following links for guidance:

1-15: <http://intranet.epa.gov/ohr/rmpolicy/ads/dm/index1.htm>

Manual 3130.A2: <http://intranet.epa.gov/ohr/rmpolicy/ads/transmanuals.htm>

A future revision to this delegation will be forthcoming from HQ; R7 delegation will be revised at that time.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-1-16**

**Issued: TN 79, 1/23/1998
Revised: TN R7-133, 4/29/2019**

CHAPTER 1

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

Financial Management and Accounting

- 1. AUTHORITY.** To manage the Agency's Financial System in accordance with the Budget and Accounting Act of 1950 and other applicable laws and regulations. Specifically, for Region VII these authorities include:
 - a. To provide general accounting and fiscal services and to establish, review and enforce, throughout the Region, internal control policies, standards and compliance guidelines involving financial management and financial management systems, including authority to require and ensure timely corrective actions regarding material weaknesses disclosed through audit findings and reports as required by the Federal Managers' Financial Integrity Act, (FMFIA), and to exercise audit resolution and follow-up authorities as the Region's Audit Follow-up Official.
 - b. To assure effective fiscal control over the accountability for all funds, property and other assets for which the Region is responsible.
 - c. To receive and deposit funds.
 - d. To ensure timely and accurate information on contract disbursements in relation to projected costs and actual commitments.
 - e. With respect to Regional financial reporting: to advise and provide direction to Regional program managers on financial management matters.
 - f. To exercise human resource authorities identified in the Chief Financial Officers Act of 1990 and OMB implementing guidance; specifically, provide Region-wide policy advise on the qualification, recruitment, performance, training and retention of financial management personnel to ensure a cadre of qualified financial management professionals throughout the Region.
 - g. To authorize partial/emergency salary payments.

2. TO WHOM REDELEGATED.

- a. Authorities listed in paragraphs 1a, b, c, and d, above, are delegated from the Regional Administrator, through the Assistant Regional Administrator, (Regional SRO), to the Regional Comptroller.
- b. Authorities listed in paragraphs 1e, f, and g, are delegated from the Regional Administrator and the Assistant Regional Administrator, (Regional SRO), to the Regional Comptroller.

3. LIMITATIONS. None.

4. REDELEGATION AUTHORITY.

- a. Further redelegation is not authorized.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. Headquarters Delegation 1-16, 1/22/97.

Delegation Superseded By:

Delegation Rescinded By:



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-1-17A**

**Issued: TN 60, 4/10/1995
Revised: TN R7-131, 1/17/2017**

CHAPTER 1

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

Domestic Travel Authorizations

1. **AUTHORITY.** To authorize and approve domestic travel and certain domestic travel-related activities, including specifically:
 - a. Travel authorizations for domestic travel. This includes use of cash for emergency and non-emergency transportation services not exceeding \$100. Also included are permanent change-of-station and first-duty moves. (Authority to approve extensions to permanent change-of-station, such as extensions to complete real estate transactions is not provided herein, see subparagraph 1h):
 - b. Actual subsistence for per diem areas within the conterminous United States when unusual circumstances result in travel expenses not being adequately covered by the lodging-plus per diem rate:
 - c. Use of noncontract air carriers when justified under the conditions provided in the Federal and Agency Travel regulations.
 - d. Use of cash in excess of \$100 to procure nonemergency passenger transportation services, if the use of a Government Transportation Request or a Government-issued charge card is not possible;
 - e. Use of cash in excess of \$100 to procure emergency passenger transportation services, if the use of a Government Transportation Request or a Government-issued charge card is not permissible;
 - f. Annual leave in conjunction with official travel, if no additional costs are incurred by the Government.
 - g. Premium class air and rail accommodations under the criteria provided in the Federal and Agency Travel regulations; (this authority is reserved to the Assistant Administrator for Administration and Resources Management).

- h. Extensions to permanent change-of-station/first-duty moves and related items, such as extensions to real estate transactions, temporary quarters and storage of household goods related to a relocation;
- i. Emergency travel due to illness, injury, or a personal emergency;
- j. Actual subsistence, transportation expenses, and extensions of temporary living accommodations for threatened law enforcement/investigative employees and their families; and
- k. Travel vouchers for domestic travel.

2. TO WHOM REDELEGATED.

- a. Authorities listed in paragraphs 1a, (excluding PCS, travel for details, and foreign travel), 1c, 1f, 1i, and 1k are redelegated to Region VII managers, supervisors and senior advisors, (i.e., first-line supervisors), to approve their staff members' travel authorizations and claims for travel expenses. No signature approval will be required by the next supervisory level. (Specific delegation to Region VII as approved by EPA HQ, 1/6/1995.)
- b. Authorities listed in 1b, 1e, 1h, and 1j are redelegated to the Division/Office Director level.
- c. Authority in paragraph 1d is delegated through the Comptroller to the Regional Administrator. The Regional Administrator may forward approved requests directly to the General Services Administration, (GSA), for final approval prior to payment.

3. LIMITATIONS.

- a. Authority in paragraphs 1b, 1e, 1h, and 1j may not be redelegated below the Division Director level.
- b. Authority in paragraph 1d may not be redelegated. These authorities are retained by the Regional Administrator.
- c. The Regional Administrators may personally approve their travel authorization for domestic travel. Division and/or Office Director's travel shall be approved by the Regional Administrator.
- d. All foreign travel must be recommended by the Regional Administrator and concurred in by the Associate Administrator for International Activities. (See Delegation 1-17B.)
- e. Controls: Controls to be used in conjunction with the simplification of administrative requirements granted to Region VII for domestic travel follows:
 - i. Supervisors: Each supervisor will be responsible for evaluating the appropriateness of their staff's travel requests. They are responsible for monitoring their travel budgets, reviewing the appropriateness of travel, and reviewing travel vouchers for reasonableness and adherence to travel regulations.
 - ii. Financial Management, (FNMG): All Travel Authorizations, (TAs), are reviewed for completeness by FNMG before funds are obligated. Only requests within the budget levels

established by the Region are obligated by FNMB. A 100% examination of all travel vouchers is accomplished by FNMG for adherence to travel regulations.

- f. Scope. This delegation containing special authorities for the Region will be in effect until rescinded.

4. REDELEGATION AUTHORITY.

- a. None.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. HQ Delegation 1-17A, Domestic Travel.
- b. HQ Delegation 1-17B, International Travel.
- c. HQ Delegation 1-17C, Domestic and International Travel for the Office of Inspector General - - (For the Conduct of Audit and Investigative Activities Only.)
- d. Request for Waiver of “Domestic Travel” Delegation of Authority Limitation – DECISION MEMORANDUM, Jonathan Z. Cannon to the Administrator, 6/13/1994. (Approval by Administrator Browner, 6/15/1994 for 6-months trial from approval date.)
- e. Memo, Jack Shipley, Director, Financial Management Division to Delores J. Platt, Region VII, 1/6/1995, Subject: Approval of Domestic Travel – Delegation of Authority. (Authorization to effect a formal change to the Regional delegation.)

Delegation Superseded By:

Delegation Rescinded By:



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-1-19**

**Issued: TN 18, 01/26/1986
Revised: TN R7-131, 1/17/2017**

CHAPTER 1

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

Directives

- 1. AUTHORITY.** To approve and sign Region VII directives.
- 2. TO WHOM REDELEGATED.**
 - a. Division and Office Directors are authorized to approve initiation of proposed Regional Directives applicable to their programmatic areas by directing their request to the Directives Manager, Information Resources Management Branch.
 - b. The Directives Manager, Information Resources Management Branch, will sign Transmittals issuing approved regional directives.
- 3. LIMITATIONS.**
 - a. Delegations of Authority may only be redelegated by the individual with whom the authority rests.
 - b. The Directives Manager will publish only those directives, (manuals and supplements, notices, and orders), which have received formal concurrence by: (1) Division/Office Directors and, the Union representative when appropriate, or (2) those actions requested by a Division/Office delegate for further redelegation or revision to material earlier delegated to them in their respective areas, (which would not require formal staff concurrence).
- 4. REDELEGATION AUTHORITY.**
 - a. Further redelegation is not authorized.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. HQ Delegations Manual, 1-19, Directives.

Delegation Superseded By:

Delegation Rescinded By:

NOTE: This HQ delegation does not reflect redelegation from the EPA Administrator to the RA; therefore, it should not be a part of the Regional Delegation Manual. The content in this regional delegation should be incorporated into another R7 reference. . .within the Introduction. . .as a Regional Order. . .within the process flow for delegations being developed by POIS). This R7 delegation should be rescinded and archived.

■ Alice Todd, Regional Directives POC



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-1-30**

**Issued: TN 18, 1/26/1986
Revised: TN R7-133, 4/29/2019**

CHAPTER 1

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

Freedom of Information

1. AUTHORITY.

- a. To make initial positive and negative determinations relative to the release of information, waive payment of fees, and extend the date for mailing a determination pursuant to the Freedom of Information Act, 5 U.S.C. § 552 and 40 C.F.R. Part 2, Subpart A.
- b. To issue denials of Freedom of Information Requests for existing, located records pursuant to the freedom of Information Act, 5 U.S.C. 552 and 40 C.F.R. Part 2, Subpart A.

2. TO WHOM REDELEGATED.

- a. The authority in paragraph 1.a. is redelegated to the Freedom of Information Officer.
- b. The authority in paragraph 1.b. is redelegated to the regional counsel.

3. LIMITATIONS. None.

4. REDELEGATION AUTHORITY.

- a. These authorities may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-1-47

Issued: TN 122, 7/24/2014
Revised: TN R7-133, 4/29/2019

CHAPTER 1

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

Assistance Agreement for Economic, Social Science, Statistical, and Other Research, Development, Studies, Surveys, Demonstration, Investigations, Public Education Programs, Training, and Fellowships

1. **AUTHORITY.** To approve assistance agreements for activities including, but not limited to, economic, social science, statistical research, development, studies, surveys, demonstrations, investigations, public education, training and fellowships to the extent authorized under the following Acts:
 - a. Clean Water Act, Section 104;
 - b. Federal Insecticide, Fungicide, and Rodenticide Act, Section 20;
 - c. Safe Drinking Water Act, Section 1442;
 - d. Toxic Substances Control Act, Section 10; and
 - e. Clean Air Act, Section 103.
2. **TO WHOM REDELEGATED.**
 - a. The authority in paragraphs 1.a. through 1.d. is redelegated to the director of the Water Division.
 - b. The authority in paragraph 1.e. is redelegated to the director of the Air & Radiation Division.
3. **LIMITATIONS.** The authority redelegated from the Regional Administrator does not include research within the purview of the Office of Research and Development.

4. REDELEGATION AUTHORITY.

- a. This authority may not be further redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Federal Grant and Cooperative Agreement Act of 1977.
- b. 40 CFR Parts 30, 31, 40, 45, and 46.
- c. HQ EPA Assistance Administration Manual, including Chapter 7, Assistance to Project Activities Outside the United States [Chapter 7, Subpar. 1(C)(2) and (3)].
- d. EPA Delegation 1-14A, Assistance Agreements and EPA Order 1130.2A, Senior Resource Officials and Resources Management Committee.
- e. HQ Delegation 1-47, issued under 1200 TN 525, 12/23/2009.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-1-48**

**Issued: TN 18, 1/26/1986
Revised: TN R7-133, 4/29/2019**

CHAPTER 1

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

Request for Information from Other Federal Agencies

- 1. AUTHORITY.** To request information from other Federal agencies.
- 2. TO WHOM REDELEGATED.** Division Directors, Office Directors, and the Regional Counsel.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-1-60

Issued: TN 68, 7/30/1996
Revised: TN R7-131, 1/17/2017

CHAPTER 1

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

Pollution Prevention Grants and Agreements

1. **AUTHORITY.** To approve grants or cooperative agreements to non-state entities for pollution prevention activities or to state entities for the establishment, support, or expansion of nationally significant multi-media research or demonstration projects related to innovative approaches to pollution prevention, where authorized under the following statutes: section 8001(a) of the Solid Waste)Disposal Act (SWDA); section 104(b)(3) of the Clean Water Act (CWA); section 1442(b)(3)(c) of the Safe Drinking Water Act (SDWA); Section 103(b) and (g) of the Clean Air Act; section 10 of the Toxic Substances Control Act (TSCA); and section 20 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).
2. **TO WHOM REDELEGATED.** The authority of the Regional Administrator is redelegated to the Division Director level or equivalent and may not be redelegated further.
3. **LIMITATIONS.** Each agreement approved under this delegation must be consistent with the Federal Grant and Cooperative Agreement Act of 1977, Public Law 95-224, as amended, 31 U.S.C. 6301 et. seq.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. HQ Delegation 1-60, Pollution Prevention Grants and Agreements dated 7/7/1993.

- b. Guidance on Use of Grant/Cooperative Agreement Funds for Pollution Prevention; 40 CFR Parts 30, 31, and 33; the EPA Assistance Administration Manual; December 2, 1992 OARM Memorandum, "When to Use Contracts or Cooperative Agreements and Grants."
- c. HQ Delegation 1-14, Assistance Agreements, which gives the authority to execute grants and cooperative agreements to the Director, Grants Administration Division, with further redelegation authorized to the Branch Chief level; and to Regional Administrators, who may further redelegate to the Division Director level.
- d. Regional Delegation R7-1-14, Assistance Agreements, dated 10/28/1999.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-1-61

Issued: TN R7-55, 1/28/1994
Revised: TN R7-133, 4/29/2019

CHAPTER 1

GENERAL ADMINISTRATIVE AND MISCELLANEOUS

Information System and Data Management Grants and Cooperative Agreements

1. **AUTHORITY.** To approve grants and cooperative agreements for states, local governments, other public agencies, federally recognized tribal entities, universities, colleges, and nonprofit private agencies, institutions, or organizations to establish, expand, or research innovative environmental information systems or data management programs as authorized under the following:
 - a. Clean Water Act, Section 104(b)(3);
 - b. Clean Air Act, Section 103(b)(3);
 - c. Solid Waste Disposal Act, Section 8001;
 - d. Toxic Substances Control Act, Section 10;
 - e. Safe Drinking Water Act, Section 1442;
 - f. Federal Insecticide, Fungicide, and Rodenticide Act, Section 20;
 - g. Comprehensive Environmental Response, Compensation, and Liability Act, Section 311(c); and
 - h. Marine Protection Research and Sanctuaries Act, Section 203.
2. **TO WHOM REDELEGATED.** Director of the Mission Support Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.

- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Federal Grant and Cooperative Agreement Act of 1977;
- b. 40 CFR Parts 30, 31, 32, 33, 40, and 45;
- c. EPA's Assistance Administration Manual;
- d. Delegation 1-14, which gives the authority to execute grants and cooperative agreements to the Regional Administrator, who may further redelegate to the Division Director level.
- e. Regional Delegation R7-1-14, issued under Transmittal Number 55, dated 1/28/94. a. Federal Grant and Cooperative Agreement Act of 1977.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-1-74**

**Issued: TN 99, 8/19/2003
Revised: TN R7-131, 1/17/2017**

CHAPTER 1

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

Environmental Education Grants and Cooperative Agreements under Section 5 and Section 6 of the National Environmental Education Act of 1990

1. AUTHORITY.

- a. To approve grants and cooperative agreements to local education agencies, colleges or universities, State education or environmental agencies, not-for-profit organizations, or non-commercial educational broadcasting entities for the purpose of designing, demonstrating, or dissemination practices, methods, or techniques related to environmental education and training pursuant to Section 6 of the Act.
- b. To waive the requirement for a non-Federal share of a proposed project where it is determined that the proposed project merits support and cannot be undertaken without a higher rate of Federal support, including full Federal funding, pursuant to Section 6 of the Act.

2. TO WHOM REDELEGATED. Director of the Office of Public Affairs.

3. LIMITATIONS.

- a. The authority redelegated to the director of the Office of Public Affairs is limited to:
 - (i) Grants of \$25,000 or less, unless the concurrence of the Associate Administrator for External Affairs and Environmental Education is obtained; and
 - (ii) Issuance of grants to applicants within Region 7 area of responsibility or jurisdiction.
- b. Approval for awards must comply with annual guidance issued by the Associate Administrator for External Affairs and Environmental Education to ensure that 25 percent of funds obligated under Section 6 is for grants of not more than \$5,000.

4. REDELEGATION AUTHORITY.

- a. This authority may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Regional Delegation R7-1-14, Assistance Agreements.
- b. Program guidance on the objectives of the Section 6 grants program and the issuance of grants, as well as exercise of the waiver authority in 1b, above, issued by the Associate Administrator for External Affairs and Environmental Education.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-1-84**

**Issued: TN 100, 9/10/2003
Revised: TN R7-133, 4/29/2019**

CHAPTER 1

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

Information Resources Management

1. AUTHORITY.

- a. To approve the acquisition of Information Technology Resources;
- b. To review and approve Section 508 undue burden justification requests for the Region; and
- c. To certify that Electronic and Information Technology (EIT) items purchased are in compliance with requirements of Section 508 of the Rehabilitation Act.

2. TO WHOM REDELEGATED. Director of the Mission Support Division.

3. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a. and 1.c. may be redelegated to the level of branch chief and no further.
- b. The authority in paragraph 1.b. may not be redelegated.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

4. LIMITATIONS. Further redelegation of this approval authority for IT resources acquisitions equal to or less than \$500,000 may be to no lower than the Branch Chief or equivalent level.

5. ADDITIONAL REFERENCES.

- a. HQ Delegation 1-84, issued under TN 534, 12/18/2001.

- b. HQ Memorandum, dated 12/17/2002, from Director, Office of Information Analysis and Access, to Regional Administrators, Subject: Redelegation of Delegation 1-84, redelegating authority under Section 508 of the Rehabilitation Act Amendments to the Regional Administrator with authority to further redelegate.
- c. HQ Memorandum, 4/17/2003, from the Office of Technology Operations and Planning to Regional Administrators, et al, Subject: Redelegation of Authority to Approve Acquisition of Information Technology Resources.
- d. HQ Order 2100.1, 1/14/1002, Accessible Electronic and Information Technology.
- e. Guidelines for making Undue Burden Determinations and Subparts B, C, and D of the final Section 508 Standards are available at: <http://intranet.epa.gov/rmpolicy/ads/transorders.htm>
- f. Guidance on personal software/personal devices on office equipment, issued by PLMG, 0/2003. This guidance can be located on R7@Work, Directives & Guidance, Information Technology, (IT), Guidance.
- g. Division Delegation R7-DIV-1084, 9/11/2003, issued under TN 11.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-1-86

Issued: TN 87, 2/24/2000
Revised: TN R7-131, 1/17/2017

CHAPTER 1

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

Survey, Demonstration, Training, and Research Grants and Cooperative Agreements Related to Environmental Equity Activities

1. **AUTHORITY.** To the extent authorized, to approve multi-statute grants and cooperative agreements for survey, demonstration, training, and research in areas related to environmental equity programs and activities under the following statutes:
 - a. Clean Water Act, Section 104(b)(3);
 - b. Safe Drinking Water Act, Section 1442(b)(3);
 - c. Solid Waste Disposal Act, Section 8001(a);
 - d. Clean Air Act, Section 103(b)(3)
 - e. Toxic Substances Control Act, Section 10(a);
 - f. Federal Insecticide, Fungicide, and Rodenticide Act, Section 20(a)
 - g. Comprehensive Environmental Response, Compensation and Liability Act, Section 111(c)(10);
 - h. Marine Protection, Research and Sanctuaries Act, Section 203; and
 - i. National Environmental Education Act, Section 6.
2. **TO WHOM REDELEGATED.** The authority of the Regional Administrator is redelegated to the Division Director level or equivalent.
3. **LIMITATIONS.**
 - a. The Assistant Administrator for Research and Development must be consulted on all research related grants and cooperative agreements to institutions of higher learning.

- b. The Director of the Environmental Education Division, Office of Communications, Education and Public Affairs, must be consulted on all grants or cooperative agreements under Section 6 of the National Environmental Education Act.
- c. Each instrument approved under this authority must be consistent with the Federal Grant and Cooperative Agreements Act of 1977, (FGCA), Public Law 95-224, as amended, 31 U.S.C. Section 6301 et seq.
- d. This authority is limited to multi-statute grants and cooperative agreements. Single-statute grants and cooperative agreements are not authorized under this delegation, but may be available to these and other delegates in other statute-specific delegations.
- e. Each assistance agreement approved under this authority must be reported to the Director of the Office of Environmental Equity to allow for the tracking and coordination of the Agency's environmental equity program.

4. REDELEGATION AUTHORITY.

- a. This authority may not be redelegated further.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. 40 CFR Parts 30, 31, 33, 40, 45 and 47; the Assistance Administration Manual.
- b. HQ Delegation 1-86, Survey, Demonstration, Training, and Research Grants and Cooperative Agreements Related to Environmental Equity Activities, dated 6/3/1993.
- c. HQ Delegation 1-14 gives the authority to execute (sign) grants and cooperative agreements to the Director, Grants Administration Division, with further redelegation authorized to the Branch Chief level, and to the Regional Administrators, with further redelegation authorized to the Division Director level, for grants and cooperative agreements where approval authority has been delegated to the Region.
- d. Federal Grant and Cooperative Agreements Act of 1977 (FGCA), Public Law 95-224, as amended, 31 U.S.C. Section 6301 et seq.
- e. December 2, 1992, Memorandum from the Assistant Administrator for Administration and Resources Management, on "When to Use Contracts or Cooperative Agreements and Grants."
- f. Regional Delegation 1-14, Assistance Agreements issued under dated of 10/28/1999.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-1-97**

**Issued: TN 80, 5/6/1998
Revised: TN R7-131, 1/17/2017**

CHAPTER 1

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

Admission of State, Local, and Tribal Government Employees to Agency Training and Waiver of Reimbursement of Costs of Training

- 1. AUTHORITY.** To include State, local and Tribal government employees in EPA training programs and to waive the reimbursement of costs of the training by the State, local or Tribal government, pursuant to the provisions of 42 U.S.C. 4742.
- 2. TO WHOM REDELEGATED.** By Memorandum, 3/30/1998, Alvin M. Pesachowitz, Acting Administrator, Office of Administration and Resources Management, redelegated this authority to the Regional Administrator, Region VII.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. Further redelegation authorized in Memorandum, 3/30/1998, (paragraph 2, above), is granted to Region VII Division Directors. Further redelegation is not authorized.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-1-101

Issued: TN 69, 8/30/1996
Revised: TN R7-133, 4/29/2019

CHAPTER 1

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

Performance Partnership Grants

1. **AUTHORITY.** To approve performance partnership assistance agreements pursuant to the Omnibus Consolidated Rescissions and Appropriations Act of 1996, Public Law 104-134.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the Deputy Regional Administrator and Division Directors.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. Part 31, EPA Assistance Administration Manual;
 - b. Delegation 1-14, which gives the authority to execute grants and cooperative agreements to Regional Administrators, who may further redelegate to the Regional Grants Management Officer for all actions and Grants Specialists for administrative, non-monetary actions; and
 - c. Headquarters "Performance Partnership Grants for State and Tribal Environmental Programs Guidance."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-1-102

Issued: TN 89, 11/9/2000
Revised: TN R7-133, 4/29/2019

CHAPTER 1

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

Funds Appropriated for the State and Tribal Assistance Grants Account

1. **AUTHORITY.** To approve grants and cooperative agreements for water infrastructure projects from funds appropriated for the State and Tribal Assistance Grants Account and to perform other activities necessary for the effective administration of those grants and cooperative agreements.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Water Division.
3. **LIMITATIONS.**
 - a. This delegation applies only to those grants and cooperative agreements for which there is no authority other than the statute making appropriations to the State and Tribal Assistance Grants Account and any successor accounts.
 - b. Awards are subject to guidance issued by the Office of Wastewater Management and the Office of the Comptroller.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Authority to execute (sign) these financial assistance agreements is delegated to the Regional Administrators under Delegation 1-14, Assistance Agreements;
 - b. 40 C.F.R. Part 31;

- c. 40 C.F.R. Part 40 for Demonstration grants;
- d. 40 C.F.R. Part 35, Subpart K;
- e. EPA assistance Administration Manual; and
- f. Regional Delegation R7-1-14, Assistance Agreements, TN 85, 10/18/1999.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-1-105

Issued: TN 77, 09/15/1997
Revised: TN R7-131, 1/17/2017

CHAPTER 1

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

EPA Training and Learning

1. **AUTHORITY.** To purchase training and learning courses, activities, books and materials under the authority of the Government Employee Training Act (GETA), up to \$25,000. The authority of the GETA may be used for training of EPA employees through non-Government off-the-shelf training courses which are available to the general public. These include established university catalog courses or commercial course offerings (including all electronic media courses, performance improvement sessions and future search conferences) that are available to the general public at catalog or market prices. GETA authority also covers attendance at meetings, conferences, seminars and symposia where the primary purpose is "mission-related"; i.e., the training assists in achieving the Agency's mission and performance goals.
2. **TO WHOM REDELEGATED.** These authorities are redelegated to the Training Officers within Human Resources, Strategy Development Branch, Office of Policy and Management.
3. **LIMITATIONS.** The authority listed above is limited to the amount of \$25,000 until further guidance is received from the EPA Learning Institute as a result of further workgroup study being performed to develop formal requirements, procedures and possible Training Officer qualifications for exercising the authorities provided in this delegation, as well as the procedural basis and policies for increasing the procurement authority redelegated to the training officers up to the "simplified acquisition threshold," which is currently \$100,000. This redelegation will be amended to reflect the final outcome of that workgroup.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Federal Acquisition Regulation (FAR) Part 13
- b. EPA Headquarters Delegation 1-105, 2/5/1997.
- c. Memo, Kerry M. Weiss, Director EPA Learning Institute, OHROS, Subject: Redefinition of Authority, dated 6/23/1997.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-1-114

Issued: TN 89, 11/9/2000
Revised: TN R7-133, 4/29/2019

CHAPTER 1

GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS

Approving Assistance Agreements with Federally Recognized Tribes for Programs to Manage Hazardous Waste and Underground Storage Tanks and for Leaking Underground Storage Tank Activities

1. **AUTHORITY.** To approve assistance agreements with Federally recognized Indian Tribes for the development and implementation of programs to manage hazardous waste pursuant to PL105-276 (112 Stat. 2461, 2499, 42 U.S.C. 6908(a) for the development and implementation of programs to manage underground storage tanks pursuant to PL105-276 (112 Stat. 2461, 2499; 42 U.S.C. 6908(a); and for the same purposes as are set forth in section 9003(h)(7) of the Resource Conservation and Recovery Act, which include understanding, requiring and overseeing corrective action and undertaking enforcement action for releases of petroleum from underground storage tanks and recovering costs, pursuant to PL105-276 (112 Stat.2461, 2497-98).
2. **TO WHOM REDELEGATED.** These authorities are redelegated to the director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.** The authority delegated does not include research within the purview of the Office of Research and Development.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. Part 31 and Part 35.
 - b. EPA Order 5700.1, Policy for Distinguishing Between Assistance and Acquisition.
 - c. Regional Delegation 1-14, Assistance Agreements, issued under TN R7-85, 10/18/1999.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-1

Issued: TN 53, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Storage Facilities

1. **AUTHORITY.** To determine the need for, and the impact of storage for water quality pursuant to Section 102(b)(3) of the Clean Water Act.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** The director of WD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically delegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-2

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Operator Training Grants

1. **AUTHORITY.** To approve grants or cooperative agreements for training personnel of existing and future treatment works and related activities pursuant to Section 104(g)(1) of the Clean Water Act.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically delegated.
5. **ADDITIONAL REFERENCES.** Delegation R7-1-14 (1/28/1994).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-2-3**

**Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019**

CHAPTER 2

CLEAN WATER ACT

State Program Grants and State Program Submittals

- 1. AUTHORITY.** To approve grants for State pollution control programs and to approve annual State program submittals pursuant to Section 106 of the Clean Water Act.
- 2. TO WHOM REDELEGATED.** Director of the Water Division.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. Part 130; 40 C.F.R. Part 35, Subpart A; and 40 C.F.R. Part 30.
 - b. Regional delegation R7-1-14, issued under Transmittal Number 85, 10/28/1999.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-5

Issued: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

State Certification for Construction Grants

1. **AUTHORITY.** To approve and execute amendments to written agreements with appropriate State agencies within the Region for certification by the State of the technical and/or administrative adequacy of certain documents relating to wastewater treatment facility construction applications pursuant to Title II of the Clean Water Act, as amended.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically delegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 205(g) of the CWA.
 - b. 40 C.F.R. § 35.2042.
 - c. 40 C.F.R. Part 35, Subpart J.
 - d. Construction Grants Delegation and Overview Guidance.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-6

Issued: TN 12, 6/26/1978
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Construction Grants

1. **AUTHORITY.** To approve grants or cooperative agreements for the construction of publicly owned treatment works pursuant to Title II of the Clean Water Act, as amended, and to perform other activities necessary for the administration of the construction grants program.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** Except as provided in Delegation 2-50, the authority to approve construction grants shall not be exercised without prior written approval of the Administrator for grants that include incremental costs for advanced treatment facilities greater than \$3 million.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegated an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Authority to execute these financial assistance agreements is delegated to the Regional Administrators under Delegation 1-14, "Assistance Agreements," 40 C.F.R. Part 35, Subpart I, 40 C.F.R. Part 33, 40 C.F.R. Part 30; EPA Assistance Administration Manual.
 - b. Delegation R7-1-14, "Assistance Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-9

Issued: TN 3, 7/5/1977
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Areawide Plans

1. **AUTHORITY.** To approve areawide waste treatment management plans pursuant to Section 208(b) of the Clean Water Act and to consult and to provide technical assistance pursuant to the CWA.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 40 C.F.R. Part 130.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-10

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Water Quality Standards

1. **AUTHORITY.** To approve water quality standards pursuant to Section 303(a) and (c) of the Federal Water Pollution Control Act.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** The director of WD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-11

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Water Loads

- 1. AUTHORITY.** To approve waters identified and loads established or to identify waters and establish loads pursuant to Section 303(d) of the CWA, as amended.
- 2. TO WHOM REDELEGATED.** Director of the Water Division.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-12

Issued: TN 18, 1/26/1986
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

State Continuing Plans

- 1. AUTHORITY.** To approve State continuing planning process and plans developed pursuant to Section 303(e) of the Clean Water Act, as amended.
- 2. TO WHOM REDELEGATED.** Director of the Water Division.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-2-13**

**Issued: TN 3, 7/05/1977
Revised: TN R7-138, 3/2/2020**

CHAPTER 2

CLEAN WATER ACT

Inspections and Information Gathering

1. **AUTHORITY.** Pursuant to the Clean Water Act, including Sections 308 and 311 of the CWA, the authority to:
 - a. Enter into, upon, or through any premises subject to the CWA, or in which records required to be maintained under the CWA are located; have access to and copy records; take samples, and inspect monitoring equipment and methods;
 - b. Require the owner or operator of any point source to establish and maintain records; make reports; install, use, and maintain monitoring equipment; sample effluents; and provide information;
 - c. Obtain and execute warrants for the purposes of performing an inspection or information gathering;
 - d. Carry out any other inspection and information gathering activities authorized by the CWA;
 - e. Require the carrying out of any other inspection and information gathering activities authorized by the CWA; and
 - f. Designate representatives to perform the functions specified in paragraphs 1.a., 1.b., 1.d., and 1.e.
2. **TO WHOM REDELEGATED.**
 - a. The authority in paragraphs 1.a., 1.b., 1.d., 1.e., and 1.f. are redelegated to the director of the Enforcement & Compliance Assurance Division; the director of the Water Division; and the director of the Superfund & Emergency Management Division.
 - b. The authority listed in paragraph 1.c. is redelegated to the regional counsel.

3. LIMITATIONS. None.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a. and 1.d. may be redelegated to the staff level and no further.
- b. The authority in paragraph 1.c. may not be redelegated.
- c. The authority in paragraphs 1.b., 1.e., and 1.f. may be redelegated to the level of branch chief and no further.
- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 308 and 311 of the CWA, and regulations developed thereunder.
- b. U.S. Environmental Protection Agency Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-14A

Issued: TN R7-131, 1/17/2017

CHAPTER 2

CLEAN WATER ACT

Civil Judicial Enforcement and Administrative Penalty Collection Actions

1. **AUTHORITY.** To appear and represent the agency in any Clean Water Act civil enforcement action where the Attorney General has refused or failed to appear and represent the agency, exclusive of appeals.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the regional counsel.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to staff attorneys within the Office of Regional Counsel.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Memorandum of Understanding between the U.S. Environmental Protection Agency and the Department of Justice, June 1977, 42 Fed. Reg. 48942 (1977).
 - b. Direct referral agreement memorialized in letter of September 29, 1983, from Alvin L. Alm, Deputy Administrator, to F. Henry Habicht, Assistant Attorney General, regarding direct referrals; Sections 309, 311, 402(h), 504 and 506 of CWA.
 - c. For referrals of requests for emergency CWA Temporary Restraining Orders, see delegation R7-2-14D, "Emergency TROs."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-15B

Issued: TN 18, 1/26/1986
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Administrative Determinations Regarding the Obtaining of Penalties for Spills

1. **AUTHORITY.** To perform the administrative functions which are the responsibility of the Environmental Protection Agency under Section II of the Memorandum of Agreement dated August 15, 1979, between the Agency and the U.S. Coast Guard. This includes the authority to determine that it is appropriate to initiate a civil judicial penalty action for the discharge of oil or hazardous substances into or upon the navigable waters of the United States.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the regional counsel.
3. **LIMITATIONS.** Judicial referrals must be authorized by the Regional Administrator.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-16

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Clean Lakes Program

1. **AUTHORITY.** To approve lake water quality assessment reports submitted under Section 314(a)(1) of the Clean Water Act, as amended, and approve assistance agreements for lake restoration projects under the Clean Lakes program pursuant to Section 314(b) of the CWA.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** CWA, Section 214(a)(1); 40 CFR Parts 31 and 35, Subpart H; and Guidance issued by the Assistant Administrator for Water; the Assistance Administration Manuals; Policy on Performance-Based Assistance, May 1985; Authority to execute, (sign), these financial assistance agreements is delegated to the Regional Administrators under Delegation 1-14, "Assistance Agreements." Further delegation has been made to the Director, Water, Wetlands and Pesticides Division under Delegation R7-1-14, "Assistance Agreements" dated 1/28/1994. Also, refer to Headquarters EPA Delegation 2-16, issued under Transmittal Number, (TN), 188, 9/23/1988.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-17

Issued: TN 11, 6/13/1978
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Thermal Discharge

- 1. AUTHORITY.** To establish thermal discharge effluent limitations pursuant to Section 316(a) of the Clean Water Act.
- 2. TO WHOM REDELEGATED.** Director of the Water Division.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-18

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Aquaculture

- 1. AUTHORITY.** To issue permits for aquaculture projects pursuant to Section 318(a) of the Clean Water Act.
- 2. TO WHOM REDELEGATED.** Director of the Water Division.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-2-19**

**Issued: TN 105, 5/19/2005
Revised: TN R7-133, 4/29/2019**

CHAPTER 2

CLEAN WATER ACT

Federal Licenses or Permits

- 1. AUTHORITY.** To receive copies of applications, certifications, and supplemental information relating to activities requiring a Federal license or permit, make determinations, certify, issue notices, and conduct related activities pursuant to Section 401(a) and (b) of the Clean Water Act.
- 2. TO WHOM REDELEGATED.** Director of the Water Division.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.** 40 C.F.R. Part 123.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-20

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

National Pollutants Discharge Elimination System

1. **AUTHORITY.** To issue and condition permits or to deny applications for permits for discharge pursuant to Section 402 of the Clean Water Act.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** The director of WD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-21

Issued: TN 11, 6/13/1978
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Monitoring State Permits Programs

1. **AUTHORITY.** To receive copies to permit applications and related documents from States and to object in writing to the issuances of permits under Section 402(b)(4) and (5) of the Clean Water Act, if such permits are outside the guidelines and requirement of the CWA, pursuant to Section 402(d) of the CWA.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** The director of WD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 40 C.F.R. Part 124, 40 C.F.R. Part 125, and 40 C.F.R. § 131.508.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-22

Issued: TN 3, 7/5/1977
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Administrative Compliance Orders and Notices of Violation

1. **AUTHORITY.** Pursuant to Section 309(a) of the Clean Water Act, the authority:
 - a. To make findings of violation; to issue and serve notices of violation; to issue and obtain service of administrative compliance orders; to send copies of any orders issued to appropriate States; and
 - b. To confer with persons to whom an order is issued.
2. **TO WHOM REDELEGATED.** Director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.** The director of ECAD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraph 1.a.
4. **REDELEGATION AUTHORITY.**
 - a. The authority in paragraph 1.a. may not be redelegated.
 - b. The authority in paragraph 1.b. may be redelegated to the staff level and no further.
 - c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 40 C.F.R. Parts 122-125.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-2-23**

**Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019**

CHAPTER 2

CLEAN WATER ACT

NPS Program Assistance Under Section 25(j)(5)

- 1. AUTHORITY.** To approve grants or cooperative agreements under Section 205(j)(5) of the Clean Water Act for nonpoint source program development and implementation.
- 2. TO WHOM REDELEGATED.** Director of the Water Division.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.**
 - a. CWA Section 319(h); 40 C.F.R. Part 130; 40 C.F.R. Part 30; 40 C.F.R. Part 33; Nonpoint Source Guidance, July 1987. Authority to execute (sign) these financial assistance agreements is delegated to the Regional Administrator under Chapter 1 Delegation 1-14, "Assistance Agreements."
 - b. Delegation R7-1-14, "Assistance Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-24

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Sewage Sludge Permit Program

1. AUTHORITY.

- a. To issue and condition permits;
- b. To deny applications for permit for the discharge, use or disposal of sewage sludge;
- c. To receive copies of permit applications and related documents from States; and
- d. To object in writing to the issuance of permits, pursuant to Section 405 of the CWA.

2. TO WHOM REDELEGATED. Director of the Water Division.

3. LIMITATIONS. The director of the Water Division must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.

4. REDELEGATION AUTHORITY.

- a. This authority may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. 40 C.F.R. Parts 122 through 124.
- b. 40 C.F.R. Part 501.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-29

Issued: TN 3, 7/5/1977
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Spill Prevention Control and Countermeasure Plan

1. **AUTHORITY.** Pursuant to the Federal Water Pollution Control Act, the authority to perform the EPA functions and responsibilities related to the Spill Prevention, Control, and Countermeasure Plan (SPCC Plan) regulations. This authority includes authorization of extensions of time for preparation and implementation of SPCC Plans in accordance with 40 C.F.R. § 112.3(f), to require amendments to SPCC Plans in accordance with 40 C.F.R. § 114.6, and the authority to assess and compromise civil penalties in accordance with 40 C.F.R. §§ 112.6, 114.1, and 114.3.
2. **TO WHOM REDELEGATED.** These authorities are redelegated to the director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.** The assistant administrator for the Office of Land & Emergency Management is delegated the authority to render decisions on appeals made pursuant to 40 C.F.R. § 112.4(f) by owners and operators relative to amendments to SPCC Plans required by the director of ECAD.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 311(j)(1)(c) of the FWPCA.
 - b. 40 C.F.R. Parts 22, 110 and 112.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-33

Issued: TN 18, 1/26/1986
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Alternate Test Procedures

1. **AUTHORITY.** To approve or disapprove alternate test procedures for the analysis of pollutants in accordance with the Code of Federal Regulations as amended (40 C.F.R. § 136.5) pursuant to Section 304(g) of the Clean Water Act.
2. **TO WHOM REDELEGATED.** Director of the Laboratory Services & Applied Science Division.
3. **LIMITATIONS.** No decision shall be made by the director of LSASD regarding any alternate test procedure proposed without prior technical review and recommendation from the director of the Environmental Monitoring and Support Laboratory, Cincinnati, or designee.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-38

Issued: TN 89, 11/9/2000
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Water Pollution Control – General Training

1. **AUTHORITY.** To approve grants or cooperative agreements with State water pollution control agencies, interstate agencies, other public or nonprofit private agencies, institutions, organizations, and individuals for research, investigations, experiments, training, demonstrations, surveys, and studies relating to the causes, effects, extent, prevention, reduction, and elimination of pollution as authorized by Section 104(b)(3) of the Clean Water Act.
2. **TO WHOM REDELEGATED.** Director of the Water Division
3. **LIMITATIONS.** This authority is limited to approval of assistance for investigations, experiments, surveys, and studies.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 40 C.F.R. Parts 30, 31, and 33; "Assistance Administration Manual"; and Regional Redelegation R7-1-14, Assistance Agreements, issued under TN R7-85, 10/18/1999.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-39

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Water Pollution Control – Professional Training Assistance

1. **AUTHORITY.** To approve grants or cooperative agreements to public or private agencies and institutions and to individuals for training projects; and for training in technical matters relating to the causes, prevention, reduction and elimination of pollution for personnel or public agencies and other persons with suitable qualifications, pursuant to Section 104(g)(3)(A) and 104(g)(3)(C) of the Clean Water Act.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. Part 45.
 - b. Delegation R7-1-14, "Assistance Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-43

Issued: TN 53, 5/13/1994
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Section 404 Dredged and Fill Material Permitting

1. AUTHORITY.

- a. To approve grants pursuant to Section 104(b)(3) of the Clean Water Act for research, investigations, experiments, training, demonstrations, surveys and studies related to development of wetland protection programs, including those programs to issue permits for disposal of dredged or fill material (Section 404(g));
- b. To review, comment on and/or object to applications for State permits in a state with an approved assumed Section 404 permit program (Section 404 (j));
- c. To approve or deny State program submissions (Section 404 (h));
- d. To approve or deny revisions to approved State programs (Section 404(h));
- e. To review and comment on U.S. Army Corps of Engineers Section 404 public notices (Section 404(q));
- f. To make final determinations of applicability of Section 404(f).

2. TO WHOM DELEGATED. Director of the Water Division.

3. LIMITATIONS.

- a. The authority in paragraph 1.a. may be exercised for research, investigations, experiments, training, demonstrations, surveys and studies having regional applicability (e.g., development of public education material for a particular State wetlands protection program, development of wetlands evaluation techniques designed for a specific wetland type found in one region).
- b. Regional administrators are delegated authority under paragraph 1.b. to transmit the consolidated federal comment on a state permit application in an approved, assumed state program. This

initial comment letter transmitting the consolidated federal comment to the appropriate state permitting agency is referred to as the “A” letter.

- c. Regional administrators are delegated authority under paragraph 1 .b. to send letters to the appropriate state permitting agency, either sustaining or removing an outstanding federal objection. This letter either sustaining or removing an outstanding federal objection is referred to as the “B” letter. Concurrence by the assistant administrator for the Office of Water is required (1) on the first three “B” letters in a region sustaining an objection to the state’s permit decision, thus transferring the permit to the Corps of Engineers, and (2) on the first three “B” letters allowing the state to issue a permit over the objections of the Corps of Engineers, U.S. Fish and Wildlife Service, and/or National Marine Fisheries Service.
- d. For permits reviewed after the concurrences in 3.d. above are complete, regions shall keep the director of the wetlands division informed about “A” letters and potential “B” letters in accordance with coordination procedures developed by the director and the regions.
- e. The director of WD must obtain the concurrence of the assistant administrator for the Office of Water and the General Counsel prior to approving State program submissions. Concurrence may be waived by memorandum; however, each waiver must be authorized by the assistant administrator for OW and the General Counsel. The Regional Administrator (or his delegate) is responsible for maintaining a record of any waivers of this limitation and sending a copy of the waiver to the Management and Organization Division (PM-213).
- f. Concurrence by the assistant administrator for the Office of Enforcement & Compliance Assurance, or her or his designee, is only required when these permits involve enforcement issues.
- g. The director of WD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising these authorities.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a., 1.c., and 1.d. may not be redelegated.
- b. The authority in paragraphs 1.b. and 1.e. may be redelegated to the level of branch chief and no further, except that the authority in paragraph 1.b. to send the letter sustaining the outstanding federal objection (“B” letter) may not be redelegated.
- c. The authority in paragraph 1.f. may be redelegated to the level of section chief and no further.
- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. 40 C.F.R. Parts 30 and 31.

- b. EPA Order 1000.23
- c. Memorandum of Agreement between the Department of the Army and the Environmental Protection Agency concerning the determination of the geographic jurisdiction of the Section 404 program and the application of the exemptions under Section 404(f) of the Clean Water Act, dated January 19, 1989.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-44

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Decisions on Eligibility for Secondary Treatment Variances

1. **AUTHORITY.** To prepare and issue accompanying Section 301(h) modified National Pollutant Discharge Elimination System (NPDES) permits and/or notices of intent to deny permits.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.**
 - a. The director of WD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.
 - b. The authority delegated does not include decisions in evidentiary hearings required to be made by an administrative law judge or in appeals subsequent to formal administrative hearings pursuant to the procedures of 40 C.F.R. Part 124.
 - c. This delegation of authority shall be effective upon the Regional Administrator's submission of a letter addressed to the assistant administrator for the Office of Water stating that the regional office has the capability to implement a delegated 301(h) program.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. Part 125, Subpart G (47 FR 53666, Nov. 16, 1982);

- b. 40 C.F.R. Part 124; and
- c. Delegation 2-11, “Waste Loads.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-45

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Water Quality Management Planning Grants

1. **AUTHORITY.** To approve grants for water quality management planning under Section 205(j) of the Clean Water Act.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 40 C.F.R. Part 130; 40 C.F.R. Part 35, Subpart A.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-47

Issued: TN 89, 11/9/2000
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

National Dioxin Study Grants

1. **AUTHORITY.** To approve grants under Section 104(b)(3) of the Clean Water Act, as amended, to State/interstate water pollution control agencies. The grants are to assist in the determination of the extent of dioxin contamination, through conducting general investigations and collecting samples for analysis as part of the National Dioxin Study.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.**
 - a. This authority is limited to programs that support general water quality investigations and sampling programs related to the causes, extent, prevention, reduction, and elimination of pollution as specified in the National Dioxin Study.
 - b. Award of these grants must comply with the provisions of 40 C.F.R. Part 30, all other applicable assistance regulations, and any special conditions that the director of the Water Division may incorporate as additional requirements.
 - c. Award of these grants must be with the understanding that Region 7 will ensure that States conduct all investigations, surveys, or studies using sampling and analytical protocols commensurate with those being developed by the Office of Research and Development.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be further redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Delegation R7-1-14, "Assistance Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-51

Issued: TN 37, 3/4/1992
Revised: TN R7-138, 3/2/2020

CHAPTER 2

CLEAN WATER ACT

Class I Administrative Penalty Actions

1. **AUTHORITY.** Pursuant to the Clean Water Act the authority to:
 - a. Act as the complainant in a Class I Administrative penalty action under the CWA;
 - b. Conduct proceedings, recommend the form of final agency action, issue subpoenas and perform all the presiding officer functions set forth in applicable agency guidance or regulations governing the administration of Class I administrative penalty actions under the CWA; and
 - c. Issue an order on consent between the agency and a respondent resulting from the initiation of a Class I administrative penalty action under the CWA.
2. **TO WHOM DELEGATED.**
 - a. The authority in paragraphs 1.a. and 1.c. are redelegated to the director of the Enforcement & Compliance Assurance Division.
 - b. The authority in paragraph 1.b. is redelegated to the Regional Judicial Officer.
3. **LIMITATIONS.** The director of ECAD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraphs 1.a. and 1.c.
4. **REDELEGATION AUTHORITY.**
 - a. The authority in paragraphs 1.c. may be redelegated to the level of branch chief and no further.
 - b. The authorities in paragraphs 1.a. and 1.b. may not be redelegated.
 - c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Section 309 of the Clean Water Act, 33 U.S.C. § 1319, as amended by the Water Quality Act of 1987.
- b. Section 311 of the Clean Water Act, 33 U.S.C. § 1321, as amended by the Oil Pollution Act of 1990.
- c. Agency guidance or regulations government Class I administrative penalty actions under the Clean Water Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-2-52A**

**Issued: TN 53, 5/13/1994
Revised: TN R7-138, 3/2/2020**

CHAPTER 2

CLEAN WATER ACT

Class II Administrative Penalty: Initiation of Action; Public Notice; Consultation with State; Negotiation and Signing of Consent Agreement; and Assessing Penalties

- 1. AUTHORITY.** Pursuant to Sections 309(g) and 311 of the Clean Water Act, the authority to:
 - a. Make findings of fact; propose penalty to be assessed; issue, amend, or withdraw Class II administrative complaints;
 - b. Provide, or cause to be provided, public notice of proposed assessment and provide commentors with copies of orders entered on consent or on default;
 - c. Consult with States, as required;
 - d. Sign consent agreements between the Agency and the party against whom a Class II penalty is proposed to be assessed; and
 - e. Issue final orders assessing Class II penalties where no hearing is requested by the respondent or pursuant to a consent agreement.
- 2. TO WHOM REDELEGATED.**
 - a. The authority in paragraphs 1.a. through 1.d. are redelegated to the director of the Enforcement & Compliance Assurance Division.
 - b. The authority in paragraph 1.e. is redelegated to the Regional Judicial Officer.

3. LIMITATIONS.

- a. The director of ECAD must consult with the regional counsel, or her or his designee, and obtain advance concurrence on the legal sufficiency of documents to be issued under the authorities specified in paragraphs 1.a. and 1.d.
- b. These authorities may only be exercised in cases initiated by Region 7.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a. and 1.e. may not be redelegated.
- b. The authority in paragraphs 1.b. and 1.d. may be redelegated to the level of branch chief and no further.
- c. The authority specified in paragraphs 1.c. may be redelegated to the staff level.
- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 309(g) and 311 of the CWA.
- b. Delegations 1-37, "Hearings," and 1-38, "Adjudicatory Proceedings."
- c. 40 C.F.R. Part 22.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-2-52B**

**Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019**

CHAPTER 2

CLEAN WATER ACT

Class II Administrative Penalty: Agency Representation in Hearings; Initiating Internal Appeals of Adverse Determination; and Representing Agency in Appeals

1. AUTHORITY.

- a. To represent EPA in Class II civil penalty adjudications conducted under Section 309(g) and 311(b) of the Clean Water Act;
- b. To initiate internal agency appeals from orders, rulings or decisions under Section 309(g) and 311 of the CWA; and
- c. To represent the agency in internal appeals from orders, rulings, or decisions entered in administrative proceedings under Section 309(g) and 311(b) of the CWA, whether or not initiated by the agency, and in proceedings initiated by commentors under Section 309(g)(4)(C) of the CWA.

2. TO WHOM REDELEGATED.

- a. The authority in paragraphs 1.a. and 1.c. are redelegated to the regional counsel.
- b. The authority in paragraph 1.b. is redelegated to the director of the Enforcement & Compliance Assurance Division.

3. LIMITATIONS.

- a. The director of ECAD must consult with the General Counsel, or her or his designee, and obtain the concurrence of the regional counsel and the assistant administrator for the Office of Enforcement & Compliance Assurance, or their respective designees, prior to exercising the authority in paragraph 1.b.

- b. The director of ECAD must consult with the assistant administrator for the Office of Enforcement & Compliance Assurance, or her or his designee, any time they do not recommend an appeal of an adverse decision.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a. and 1.c. may be redelegated to staff attorneys within the Office of Regional Counsel.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Guidance on Headquarters Involvement in the Issuance by Regions of the First three Proposed and Final Class II Administrative Penalty Orders.
- b. 40 C.F.R. Part 22.
- c. Delegations 1-37 and 1-38, entitled “Hearings” and Adjudicatory Proceedings.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-54

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

State Capitalization

1. **AUTHORITY.** To approve amendments to initial agreements with each state or to approve subsequent grant agreements for the establishment of State Water Pollution Control Revolving Funds (SRF) pursuant to Title VI of the Clean Water Act, as amended, and to perform other activities necessary for the administration of the SRF program.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** The director of WD must obtain the concurrence of the Office of Wastewater Enforcement and Compliance for the following:
 - a. The first State Capitalization Grant in Region 7;
 - b. All cases in which the State requests an exception to cash draw procedures related to particularly aggressive leveraging proposals or other cases which would involve the draw of cash at a more accelerated rate than specified in 40 C.F.R. § 35.3160, except where concurrence was given for the draw of cash at an accelerated rate on a previous grant and no changes to the structure of the program have occurred or are requested; and
 - c. All grants where the State Revolving Fund will be used to generate payment for the State match bonds, except where concurrence was given for State match bonds on a previous grant and where no changes to the structure of the program have occurred or are requested.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Delegation 1-14, "Assistance Agreements;" CWA §§ 205(m), 319, 320; 40 C.F.R. Part 31, EPA Assistance Administration Manual; Office of Water Initial Guidance – State Water Pollution Control Revolving Funds; 40 C.F.R. Part 35; Subpart K, State Revolving Fund Program Implementation Regulations; and additional regulations and guidance as may be issued by the Administrator.
- b. Delegation R7-1-14, "Assistance Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-55

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Water Quality Management Planning Grants under Section 205(j)(2)

1. **AUTHORITY.** To approve grants or cooperative agreements to States under Section 205(j)(2) from funds reserved for water quality management planning under Section 205(j)(1) and Section 604(b) of the Clean Water Act.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. CWA § 205(j)(3); 40 C.F.R. Part 130; 40 C.F.R. Part 30; 40 C.F.R. Part 33; 40 C.F.R. Part 35, Subpart A; Policy on Performance-Based Assistance, May 1985.
 - b. Delegation R7-1-14, "Assistance Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-2-57**

**Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019**

CHAPTER 2

CLEAN WATER ACT

Nonpoint Source Assessment Reports and Management Programs

- 1. AUTHORITY.** To approve State Nonpoint Source Assessment Reports and Management Programs submitted to EPA pursuant to the Clean Water Act.
- 2. TO WHOM DELEGATED.** Director of the Water Division.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.**
 - a. CWA § 319(h).
 - b. Nonpoint Source Guidance, Dec. 1987.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-2-58**

**Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019**

CHAPTER 2

CLEAN WATER ACT

Nonpoint Source Assessment Reports Not Submitted by States

- 1. AUTHORITY.** To prepare Nonpoint Source Assessment Reports for States that do not submit their own by the statutory deadline pursuant to Section 219(d)(3) of the Clean Water Act, as amended.
- 2. TO WHOM REDELEGATED.** Director of the Water Division
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.**
 - a. CWA § 319.
 - b. Nonpoint Source Guidance, Dec. 1987.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-59

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Development of NPS Management Program by a Local Public Agency or Organization

1. **AUTHORITY.** Pursuant to Section 319(e) of the Clean Water Act, as amended, the authority to:
 - a. Determine what is the sufficient area of jurisdiction for a local public agency or organization to enable it to develop, with the State's approval, an NPS Management Program if the State fails to submit, or the Administrator to approve, a State NPS Management Program.
 - b. Provide technical assistance to such an agency or organization in developing an NPS Management Program for such an area; and
 - c. Approve or disapprove a local NPS Management Program so developed.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. CWA § 319(h).
 - b. Nonpoint Source Guidance, Dec. 1987.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-60

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Provision of Technical Assistance to States

1. **AUTHORITY.** To provide technical assistance to States, upon request, for developing NPS Management Programs, pursuant to Section 319(f) of the Clean Water Act, as amended.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 319(h) of the CWA;
 - b. Nonpoint Source Guidance, Dec. 1987.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-61

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Convening of an Interstate Managing Conference and Implementation of State Nonpoint

1. **AUTHORITY.** To convene an interstate management conference, pursuant to Section 319(g) of the Clean Water Act, as amended:
 - a. On petition of a State; or
 - b. After making a determination that a State is unable to meet applicable water quality standards, or the goals and requirements of the Act, due to significant pollution resulting from nonpoint sources in another State and notifying the States affected.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.**
 - a. When convening an interstate management conference, prior notification between regional offices is required.
 - b. The director of WD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising these authorities.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 319(h) of the CWA;
 - b. Nonpoint Source Guidance, Dec. 1987.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-2-62**

**Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019**

CHAPTER 2

CLEAN WATER ACT

Financial Assistance for Development Source Management Programs

1. **AUTHORITY.** To approve grants or cooperative agreements to States under Section 319, using funds reserved under Section 205(j)(5) of the Clean Water Act, as amended, or funds appropriated under Section 319 of the CWA.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. CWA § 319, 40 C.F.R. Part 130, 40 C.F.R. Part 30; 40 C.F.R. Part 33; Policy on Performance-Based Assistance, May 1985; Nonpoint Source Guidance, Dec. 1987.
 - b. Headquarters Delegation R7-1-14, "Assistance Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-2-63**

**Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019**

CHAPTER 2

CLEAN WATER ACT

Collection and Dissemination of Information on NPS Management Practices and Implementation Methods

- 1. AUTHORITY.** To collect and make available, through publication and other means, information pertaining to management practices and implementation methods, including information on costs and efficiencies of Best Management Practices and data on the water quality impacts of Best Management Practices, pursuant to Section 319(1) of the Clean Water Act, amended.
- 2. TO WHOM REDELEGATED.** Director of the Water Division.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.**
 - a. Section 319(h) of the CWA;
 - b. Nonpoint Source Guidance, Dec. 1987.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-65

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Approval of Water Needing Total Maximum Daily Loads/Wasteload

1. **AUTHORITY.** To approve water identified by the States as needing total maximum daily loads/wasteloads in accordance with Section 303 (d) of the Clean Water Act, as amended.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 40 C.F.R. § 130.7.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-66

Issued: TN 63, 9/9/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Lists of Waters and Individual Control Strategies Not Submitted by States

1. **AUTHORITY.** To approve individual control strategies pursuant to Section 304(l)(1) of the Clean Water Act, as amended.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** The director of WD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. CWA §§ 402, 304(1), Guidance, March 1988;
 - b. Draft Proposed Rule on Section 304(1), May 1988.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-67

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Approval of State Lists of Waters

1. **AUTHORITY.** To approve lists of waters which cannot meet water quality standards after application of effluent limitations in accordance with Section 304(1)(2) of the Clean Water Act, as amended.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** The director of WD must obtain the concurrence of the regional counsel prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. CWA §§ 301(b)(2), 303(c)(2)(b), 306, 307(a)-(b);
 - b. 304(1), Guidance, Mar. 1988;
 - c. Draft Proposed Rule on Section 304(1), May 1988.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-2-69**

**Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019**

CHAPTER 2

CLEAN WATER ACT

Lists of Waters and Individual Control Strategies Not Submitted by States

- 1. AUTHORITY.** To develop lists of waters and individual control strategies, in accordance with Section 304(1)(3) of the Clean Water Act, as amended, where a State fails to do so, where such lists and/or strategies are not approved or for any waterbody for which any person submits a petition for listing.
- 2. TO WHOM REDELEGATED.** Director of the Water Division.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.**
 - a. CWA §§ 303(c)(2)(B), 307(A), 304(1) Guidance, Mar. 1988;
 - b. Draft Proposed Rule on Section 304(1), May 1988.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-71

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

State Program Grants and State Work Program Submittals

1. AUTHORITY.

- a. To approve grants or cooperative agreements to support water pollution control programs of State and Interstate agencies and of Indian tribes treated as States; and
- b. To approve annual work program submittals pursuant to Section 106 of the Clean Water Act, as amended.

2. TO WHOM REDELEGATED. Director of the Water Division.

3. LIMITATIONS. The director of WD must consult with the director of the Enforcement & Compliance Assurance Division, or her or his designee, prior to exercising the authority in paragraph 1.b.

4. REDELEGATION AUTHORITY.

- a. This authority may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. CWA §§ 106 and 518; 40 C.F.R. Part 130; 40 C.F.R. Part 30; 40 C.F.R. Part 35; Policy on Performance-Based Assistance, May 1985.
- b. Delegation R7-1-14, "Assistance Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-73

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Assistance Agreements for Ground-Water Quality Protection

1. **AUTHORITY.** To approve grants or cooperative agreements to eligible States to carry out activities pursuant to Section 319(i) of the Clean Water Act, as amended.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.**
 - a. Activities to be funded must be compatible with the State's Ground-Water Protection Strategy.
 - b. Only the assistant administrator for the Office of Water may allocate funds appropriated for this purpose and only in accordance with policy and criteria established under Section 319(i) of the CWA.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Policy on Performance-Based Assistance, May 1985; 40 C.F.R. Parts 30, 35, and 40.
 - b. Delegation R7-1-14, "Assistance Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-74

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

State Administrator Grants (Section 205(g))

1. **AUTHORITY.** To approve grants or cooperative agreements to States pursuant to Section 205(g) of the Clean Water Act, as amended, for construction management assistance and for permit and planning assistance.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Policy on Performance-Based Assistance, May 1985; 40 C.F.R. § 35.2020, 40 C.F.R. § 35.2042, 40 C.F.R. Part 35, Subparts A and J, 40 C.F.R. Part 30, 40 C.F.R. Part 33.
 - b. EPA Assistance Manual.
 - c. "Construction Grants Delegation and Overview Guidance."
 - d. Delegation R7-1-14, "Assistance Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-80

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Grants for Indian Set-Aside Wastewater Treatment Projects

1. **AUTHORITY.** To approve grants for the development of waste treatment management plans and for the construction of sewage treatment works to serve federally recognized Indian Tribes, Tribes on former reservations in Oklahoma, and Alaska Native Villages as authorized by Section 518(c) of the Clean Water Act. Such grants may be made to a State or other organization if authorized by the Tribe of the Village.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** This authority is redelegated only for those projects above the funding line on the Indian Set-Aside National Project Priority List.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. Parts 31-32; Guidelines and Requirements for Applying for Grants from the Indian Set-Aside Program, Apr. 1989.
 - b. Delegation R7-1-14, "Assistance Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-84

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

NPDES Related State Program Support Grants

1. **AUTHORITY.** To approve grants or cooperative agreements with State Water pollution control agencies, interstate agencies, and other public agencies for investigations, experiments, training, demonstrations, surveys, and studies, including the development of:
 - a. NPDES permits and other administrative activities (including enforcement) for combined sewer overflow and storm water discharges; and
 - b. Municipal water pollution prevention reduction and elimination of pollution through NPDES related activities, as authorized by Section 104(b)(3) of the Clean Water Act.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. Parts 31 and 33;
 - b. "Assistance Administration Manual;" and
 - c. Delegation R7-1-14, "Assistance Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-85

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Imminent and Substantial Endangerment

1. **AUTHORITY.** Pursuant to the Clean Water Act, including Section 311(e) of the CWA, and in accordance with Executive Order No. 12,777 (Oct. 18, 1991), as amended by Executive Order Nos. 13,286 (Feb. 28, 2003) and 13,638 (Mar. 15, 2013), the authority to:
 - a. Determine that there is an imminent and substantial threat to the public health or welfare of the United States because of an actual or threatened discharge of oil or a hazardous substance into or upon the navigable waters of the United States from a vessel or an onshore or offshore facility;
 - b. Provide notice, or cause notice to be provided to the affected state; and
 - c. Issue administrative orders or take other actions necessary to protect the public health and welfare.
2. **TO WHOM REDELEGATED.** The director of the Enforcement & Compliance Assurance Division and the director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.**
 - a. The directors of ECAD and SEMD must consult with the assistant administrator for the Office of Enforcement and Compliance Assurance before exercising the authorities listed in paragraphs 1.a. and 1.c. The AA for OECA may waive the requirement of consultation in writing.
 - b. The directors of ECAD and SEMD must obtain the concurrence of the regional counsel, or her or his designee, on the legal sufficiency of the action before exercising the authority specified in paragraph 1.c. The regional counsel may waive the requirement of concurrence in writing.
 - c. Before exercising the authority in paragraph 1.c, a corresponding determination that there is an "imminent and substantial threat to public health or welfare" pursuant to Section 311(e) of the CWA must have been made under the authority in paragraph 1.a.

4. REDELEGATION AUTHORITY.

- a. These authorities may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. National Contingency Plan, 40 C.F.R. Part 300.
- b. For referral of the corresponding civil judicial enforcement actions to the Department of Justice, see redelegations R7-2-14A, “Civil Judicial Enforcement and Administrative Penalty Collection Actions,” and R7-2-14D, “Emergency TROs.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-86

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Facility Response Plans

1. **AUTHORITY.** Pursuant to Section 311(j)(5) of the Clean Water Act, as amended by the Oil Pollution Act of 1990:
 - a. To approve means to ensure the availability of private personnel and equipment to implement facility response plans for non-transportation-related onshore facilities;
 - b. To review and approve such plans for non-transportation-related onshore facilities under Section 4202(b)(4) of OPA; and
 - c. To authorize non-transportation-related onshore facilities to operate without approved response plans for non-transportation-related facilities under Section 311(j)(5)(F).
2. **TO WHOM REDELEGATED.** These authorities are redelegated to the director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.** The director of SEMD must consult with the director of the Water Division, or her or his designee, prior to exercising the authority in paragraph 1.c.
4. **REDELEGATION AUTHORITY.**
 - a. The authority in paragraphs 1.a. and 1.b. may be redelegated to On-Scene Coordinators and no further.
 - b. The authority in paragraph 1.c. may be redelegated to the level of section chief and no further.
 - c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-87

Issued: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Provision of Technical Assistance to States

1. **AUTHORITY.** Pursuant to Section 311(j)(6)(A) of the Clean Water Act, as amended by the Oil Pollution Act of 1990, to require periodic inspections of containment booms and equipment used to remove discharges at non-transportation-related onshore facilities.
2. **TO WHOM REDELEGATED.** Director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to On-Scene Coordinators and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-88

Issued: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Tests of Facility Removal Capability

1. **AUTHORITY.** Pursuant to Section 311(j)(7) of the Clean Water Act, as amended by the Oil Pollution Act of 1990, to conduct periodic drills of removal capability under relevant response plans for facilities located in the inland zone.
2. **TO WHOM REDELEGATED.** This authority to the director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to level of section chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-89

Issued: TN 92, 4/30/2001
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Removal of Discharge or Threat of Discharge under Section 311(c) of the Clean Water Act

1. **AUTHORITY.** Pursuant to Section 311(c) of the Clean Water Act, as amended by the Oil Pollution Act of 1990, the authority to:
 - a. Remove or arrange for the removal of a discharge and to mitigate or prevent a substantial threat of a discharge;
 - b. Direct or monitor all Federal, State, and private actions;
 - c. Remove and, if necessary, destroy a vessel that is discharging or threatening to discharge;
 - d. Consult with affected trustees; and
 - e. Determine when the removal is complete.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.**
 - a. Section 1011 of the OPA limits the authority in paragraph 1.e. to cases that involve the discharge of oil.
 - b. The authority in paragraphs 1.a. through 1.d. must be exercised in accordance with the National Oil and Hazardous Substance Pollution Contingency Plan (NCP) and appropriate Area Contingency Plans in order to ensure immediate and effective response.
 - c. The authority in paragraph 1.b. includes issuance of oral orders.

4. REDELEGATION AUTHORITY.

- a. These authorities may be redelegated to On-Scene Coordinators and no further.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-91

Issued: TN 199, 6/6/2013
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Area Committee Designation and Preparation and Review of Area Contingency Plans

1. **AUTHORITY.** Pursuant to Section 311(j)(4) of the Clean Water Act and Section 4202(b)(i) of the Oil Pollution Act of 1990, the authority to:
 - a. Designate Areas;
 - b. Appoint Area Committee members;
 - c. Require information to be included in Area Contingency Plans; and
 - d. Review and approve such plans as defined in the National Contingency Plan (NCP).
2. **TO WHOM REDELEGATED.** These authorities are redelegated to the director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.** Pursuant to a notice published in the Federal Register, 57 Fed. Reg. 15198 (Apr. 24, 1982), the Administrator has designated 13 initial geographic areas not covered by the Regional Response Teams, and the Regional Response Teams, as the initial Area Committees. Regional Administrators may designate different areas within their regions and appoint different Area Committee members.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-2-107

Issued: TN 126, 1/21/2016
Revised: TN R7-133, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Enforcement of the Standards for the Use or Disposal of Sewage Sludge in all EPA Regions

1. **AUTHORITY.** The authorities as specified in delegations 2-13, 2-14A, 2-22, 2-51, 2-52A, and 2-52B, pursuant to the Clean Water Act, as applied to conducting inspections, information gathering and enforcement of the Standards for the Use or Disposal of Sewage Sludge outside the geographic boundary of Region 7 on behalf of other regions as the National Biosolids Center of Excellence.
2. **TO WHOM REDELEGATED.** These authorities are redelegated to the same officials specifically designated in redelegations R7-2-13, R7-2-14A, R7-2-22, R7-2-51, R7-2-52A, and R7-2-52B.
3. **LIMITATIONS.**
 - a. These authorities will continue to apply in all EPA regions, however any region may refer a biosolids matter to Region 7 for further investigation and/or enforcement. Region 7 may accept or decline the referral.
 - b. These authorities must be exercised in the manner specified by redelegations R7-2-13, R7-2-14A, R7-2-22, R7-2-51, R7-2-52A, and R7-2-52B.
 - c. Before exercising these authorities for matters located in whole or in part outside of Region 7, the specific delegatee of such authority must consult with the regional administrator or designee of the affected region. A region may elect to waive this limitation, if it so wishes, by notifying Region 7 of such waiver in writing.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may or may not be redelegated to the same extent specified in redelegations R7-2-13, R7-2-14A, R7-2-22, R7-2-51, R7-2-52A, and R7-2-52B.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-5-4

Issued: TN 18, 1/26/1986
Revised: TN R7-133, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Use of Pesticides Under Experimental Use Permits

1. **AUTHORITY.** To perform the functions and responsibilities relative to supervision of the use of pesticides under Experimental Use Permits, and to determine the status of compliance with terms and conditions of Experimental Use Permits, as set forth in Section 5(c) of the Federal Insecticide, Fungicide, and Rodenticide Act.
2. **TO WHOM REDELEGATED.** The director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-5-8

Issued: TN 4, 7/15/1977
Revised: TN R7-133, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Registration of Establishments

1. **AUTHORITY.** To perform the functions and responsibilities relative to the registration of establishments and the requesting and receipt of information related to establishments, as set forth in Section 7 of the Federal Insecticide, Fungicide, and Rodenticide Act.
2. **TO WHOM REDELEGATED.** The director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.** Authority to promulgate rules and regulations and to issue notices of proposed rulemaking implementing Section 7(c) of FIFRA is reserved to the Administrator.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 40 C.F.R. Part 167.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-5-9

Issued: TN 4, 7/15/1977
Revised: TN R7-138, 3/2/2020

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Inspections and Information Gathering

1. **AUTHORITY.** Pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, including Sections 8 and 9 of FIFRA, the authority to:
 - a. Perform the Environmental Protection Agency functions and responsibilities relative to the inspection of books and records;
 - b. Perform the EPA functions and responsibilities relative to the inspection of establishments or other places where pesticides or devices are held for distribution or sale, or any place where there is being held any pesticides the registration of which has been suspended or canceled;
 - c. Obtain and execute warrants for the purposes of performing an inspection or information gathering;
 - d. Carry out any other inspection and information gathering activities authorized by FIFRA;
 - e. Require the carrying out of any other inspection and information gathering activities authorized by FIFRA; and
 - f. Designate representatives to perform the functions specified in paragraphs 1.a, 1.b, and 1.d.
2. **TO WHOM REDELEGATED.**
 - a. The authority in paragraphs 1.a., 1.b., 1.d., 1.e., and 1.f. are redelegated to the directors of the Enforcement & Compliance Assurance Division and the Land, Chemical & Redevelopment Division.
 - b. The authority in paragraph 1.c. is redelegated to the regional counsel.

3. LIMITATIONS. None.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a., 1.b., and 1.d. may be redelegated to the staff level.
- b. The authority in paragraph 1.c. may not be redelegated.
- c. The authority in paragraphs 1.e. and 1.f. may be redelegated to the level of branch chief and no further.
- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 8 and 9 of FIFRA.
- b. U.S. Environmental Protection Agency Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-5-12

Issued: TN 4, 7/15/1977
Revised: TN R7-133, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Issuance of Stop Sale, Use, or Removal Orders

1. **AUTHORITY.** To issue stop sale, use, or removal orders, as provided in the Federal Insecticide, Fungicide, and Rodenticide Act, including Section 13(a) of FIFRA, whenever there is reason to believe on the basis of inspection or tests that a pesticide or device is in violation of any provision of FIFRA, or that such pesticide or device has been or is intended to be distributed or sold in violation of any such provisions, or when the registration of the pesticide has been cancelled by a final order or has been suspended.
2. **TO WHOM REDELEGATED.** The director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.**
 - a. The director of LCARD may exercise the above authority against persons within Region 7. The director of WWPD may also exercise the above authority against persons in another region after consulting with that region.
 - b. The director of LCARD must obtain the concurrence of the regional counsel on the legal sufficiency of the action before exercising this authority. The regional counsel may waive the requirement of concurrence in writing.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** See delegations 5-17A, "Civil Judicial Enforcement Actions," and 5-17D, "Emergency TROs," for seizure and related authority under Sections 13(b)–(d) of FIFRA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-5-13

Issued: TN 4, 7/15/1977
Revised: TN R7-133, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Disposition of Pesticides

1. **AUTHORITY.** To cooperate with a Federal District Court in the disposition of a condemned pesticide or device, as provided in the Federal Insecticide, Fungicide, and Rodenticide Act.
2. **TO WHOM REDELEGATED.** The directors of the Enforcement & Compliance Assurance Division and the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.** The directors of ECAD and LCARD must consult with the director of the Superfund & Emergency Management Division and the regional counsel prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. The disposal of pesticides may implicate Solid Waste Disposal Act requirements. See Chapter 8 of this Delegations Manual.
 - b. Section 13(b)-(d) of FIFRA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-5-14

Issued: TN 4, 7/15/1977
Revised: TN R7-138, 3/2/2020

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT

Administrative Enforcement: Issuance of Complaints and Signing of Consent Agreements

- 1. AUTHORITY.** Pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, the authority to:
 - a. Issue written notices of warning;
 - b. Issue complaints and evaluate the appropriateness of civil penalties;
 - c. Negotiate consent agreements memorializing settlements between the agency and respondents;
and
 - d. Sign consent agreements memorializing settlements between the Agency and respondents.
- 2. TO WHOM REDELEGATED.**
 - a. These authorities are redelegated to the director of the Enforcement & Compliance Assurance Division.
 - b. The authority in paragraph 1.c. is redelegated to the regional counsel.
- 3. LIMITATIONS.**
 - a. The director of ECAD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraphs 1.b. and 1.d.
 - b. The director of ECAD and regional counsel must consult with the assistant administrator for the Office of Enforcement & Compliance Assurance, or her or his designee, in cases of national significance before exercising any of the above authorities except for the issuance of warning letters.
- 4. REDELEGATION AUTHORITY.**

- a. The authority in paragraph 1.c. may be redelegated to the staff level and no further.
- b. The authority in paragraph 1.d. may be redelegated to the level of branch chief and no further.
- c. The authority in paragraphs 1.a. and 1.b. may not be redelegated.
- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. Delegation R7-5-15A, “Administrative Enforcement: Agency Representation in Hearings and Signing of Consent Agreements.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-5-15A**

**Issued: TN 18, 1/26/1986
Revised: TN R7-138, 3/2/2020**

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Administrative Enforcement: Agency Representation in Hearings and Signing of Consent Agreements

1. AUTHORITY.

- a. To represent the agency in administrative enforcement actions conducted under the Federal Insecticide, Fungicide, and Rodenticide Act and 5 U.S.C. § 554;
- b. To negotiate consent agreements between the agency and respondents resulting from such enforcement actions;
- c. To sign consent agreements between the agency and respondents resulting from such enforcement actions; and
- d. To represent the agency in appeals from administrative determinations.

2. TO WHOM REDELEGATED.

- a. The authority in paragraphs 1.a., 1.b., and 1.d. is redelegated to the regional counsel.
- b. The authority in paragraphs 1.b. and 1.c. is redelegated to the director of the Enforcement & Compliance Assurance Division.

3. LIMITATIONS. The director of ECAD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraph 1.c.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a., 1.b., and 1.d. may be redelegated to the staff level.
- b. The authority in paragraph 1.c. may be redelegated to the level of branch chief and no further.

- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. Delegation R7-5-14, “Administrative Enforcement: Issuance of Complaints and Signing of Consent Agreements.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-5-19**

**Issued: TN 4, 7/15/1977
Revised: TN R7-133, 4/29/2019**

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Imports, Exports and Other International Activities

- 1. AUTHORITY.** Pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, including Section 17 of FIFRA, and implementing regulations, the authority to:
 - a. Receive, review, and complete notifications of the arrival of pesticides and devices; request delivery of samples of pesticides or devices and all accompanying labeling and materials being imported or offered for importation into the United States; assist the Department of Homeland Security in giving notice, or give notice to the owner or consignee; and examine samples delivered by the Department of Homeland Security;
 - b. Inform or instruct the Department of Homeland Security to refuse admission of pesticides and/or devices; and
 - c. Receive testimony from the owner or consignee.
- 2. TO WHOM REDELEGATED.**
 - a. The authority listed in 1.a. and 1.b. are redelegated to the director of the Enforcement & Compliance Assurance Division.
 - b. The authority listed in 1.c. is redelegated to the Regional Judicial Officer.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. The authority listed in 1.a. may be redelegated to the staff level.
 - b. The authorities listed in 1.b. and 1.c. may not be redelegated.

- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically delegated.

5. ADDITIONAL REFERENCES.

- a. 19 C.F.R. §§ 12.110–12.117 (U.S. Customs and Border Protection regulations for importing pesticides and devices).
- b. 40 C.F.R. §§ 168.65–168.85 (Procedures for Exporting Pesticides).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-5-23

Issued: TN 89, 11/9/2000
Revised: TN R7-133, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Research Grants and Cooperative Agreements for Research, Development, Monitoring, Public Education, Training, Demonstrations, and Studies

1. **AUTHORITY.** To approve grants and cooperative agreements to eligible recipients including other Federal agencies, universities, or others, for research, development, monitoring, public education, training, demonstration and studies as may be necessary to carry out the purposes of Section 20 of FIFRA, supplemented, as appropriate, for international awards by Section 102(2)(F) of the National Environmental Policy Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.**
 - a. This authority is limited to a dollar amount established by the assistant administrator for the Office of Chemical Safety & Pollution Prevention.
 - b. This authority does not include research within the purview of the Office of Research & Development. The delegated authority for research and development is limited to activities directly contributing to the implementation of the mission of the office and consistent with congressionally approved budget requests.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. The following additional references apply:

- a. Federal Grant and Cooperative Agreement Act of 1977;
- b. Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, 2000 (US Public Law. 106-074; Page 113 STAT. 1081), which includes new language for FIFRA as included in the EPA FY 2000 Appropriations Act.
- c. 40 C.F.R. Parts 30, 31, 32, and 40;
- d. EPA Assistance Administration Manual, including Chapter 7, Assistance to Project Activities Outside the United States, which requires OIA and State Department concurrence (Chapter. 7, Subpar. 1 (C)(2) and (3); and
- e. Delegation R7-1-14, "Assistance Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-5-25

Issued: TN 4, 7/15/1977
Revised: TN R7-133, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Administering Oaths

1. **AUTHORITY.** Pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, including Section 22(a) of FIFRA, the authority to designate officers or employees of the U.S. Environmental Protection Agency to administer oaths and affirmations or to take affidavits, as granted by Congress to the Department of Agriculture in 1925 (43 Stat. 803 (Jan. 31, 1925); codified at 7 U.S.C. § 2217) and transferred to EPA pursuant to Reorganization Plan No. 3 of 1970.
2. **TO WHOM REDELEGATED.** The director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-5-26

Issued: TN 4, 7/15/1977
Revised: TN R7-133, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Cooperation with Other Agencies

1. **AUTHORITY.** To cooperate with Federal and State agencies in carrying out the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act, pursuant to Section 22(b) of FIFRA.
2. **TO WHOM REDELEGATED.** The director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-5-27**

**Issued: TN 55, 1/28/1994
Revised: TN R7-133, 4/29/2019**

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

State Cooperative Agreements (Personnel and Facilities)

1. **AUTHORITY.** To approve and administer cooperative agreements with States and Indian tribes to delegate the authority to cooperate in the enforcement of the Federal Insecticide, Fungicide, and Rodenticide Act through the use of State or tribe personnel or facilities, to train State or tribe personnel, and to assist States and tribes in implementing cooperative enforcement programs, in accordance with FIFRA, including Section 23(a)(1) of FIFRA.
2. **TO WHOM REDELEGATED.** Director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 40 C.F.R. Part 35.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-5-28

Issued: TN 55, 1/28/1994
Revised: TN-R7-133, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT

State Cooperative Agreements (State Programs)

1. **AUTHORITY.** To approve cooperative agreements with States to assist State agencies in developing and administering State programs for training and certification of applicators, as set forth in Section 23(a)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act.
2. **TO WHOM REDELEGATED.** Director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. Part 35, Subpart A.
 - b. Delegation R7-1-14, "Assistance Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-5-29

Issued: TN 55, 1/28/1994
Revised: TN R7-133, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Contracting for Applicator Training with Federal Agencies

1. **AUTHORITY.** To perform the functions and responsibilities relative to contracting with Federal agencies for the purpose of encouraging the training of certified applicators, as set forth in the Federal Insecticide, Fungicide, and Rodenticide Act, including Section 23(b) of FIFRA.
2. **TO WHOM REDELEGATED.** The director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.** In the case of new contracts, when the director of LCARD begins negotiations with a field operation, he or she is to notify the assistant administrator for the Office of Chemical Safety and Pollution Prevention that such negotiations are underway.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-5-30

Issued: TN 52, 1/28/1994
Revised: TN R7-133, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT

Contracting for Applicator Training with State Agencies

1. **AUTHORITY.** To perform the Environmental Protection Agency functions and responsibilities relative to contracting with State agencies for the purpose of encouraging the training of certified applicators, as set forth in Section 23(b) of the Federal Insecticide, Fungicide, and Rodenticide Act.
2. **TO WHOM REDELEGATED.** Director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-5-39

Issued: TN R7-131, 1/17/2017
Revised: TN R7-133, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

State Primary Enforcement Responsibility under FIFRA

1. **AUTHORITY.** To perform the functions and responsibilities under the Federal Insecticide, Fungicide, and Rodenticide Act relative to:
 - a. Executing primary enforcement responsibility for pesticide use violations in states that do not have primary enforcement responsibility for pesticide use violations, in accordance with FIFRA, including Section 26(c) of FIFRA; and
 - b. Referring any complaint or other information to the appropriate state officials for investigation, and acting upon the complaint or information if authorized, pursuant to the authority in FIFRA, including Section 27(a) of FIFRA.
2. **TO WHOM REDELEGATED.** These authorities are redelegated to the director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.** The exercise of primary enforcement responsibility under paragraph 1.a. is subject to all limitations imposed on such authorities by any other applicable redelegation of authority.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Sections 26 and 27 of FIFRA.

- b. 40 C.F.R. Part 173 (Procedures Governing the Rescission of State Primary Enforcement Responsibility for Pesticide Use Violations).
- c. 48 Fed. Reg. 404 (Jan. 5, 1983), Federal Insecticide, Fungicide, and Rodenticide Act, State Primary Enforcement Responsibilities (Final Interpretive Rule).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-1

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

State and Interstate Program and Planning Grants

1. **AUTHORITY.** To approve grants pursuant to Sections 105 and 106 of the Clean Air Act.
2. **TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. Part 35, Subpart A.
 - b. Delegation R7-1-14, "Assistance Agreements."
 - c. Per Memo, 12/4/1995, Director Air, RCRA, and Toxics Division to Acting Assistant Regional Administrator for Policy and Management, the following responsibilities for Award of Grants under this delegation is outlined as follows: On Programmatic Certification forms covering Section 105, the Division Director has been delegated as the Award Official, the Decision Official is the Branch Chief, and the Recommending Official is the Project Officer.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-2

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Approval of State NSPS Plans

1. **AUTHORITY.** To approve State or local agency procedures for implementing and enforcing standards of performance for new sources located in such State or portion thereof, and to delegate to such State or local agency the authority to implement and enforce Federal new source performance standards in such States or portion thereof, pursuant to the Clean Air Act (CAA), Section 111(c).
2. **TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
3. **LIMITATIONS.** The director of ARD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** TN 431 (12/18/96) (reinstating delegation 7-2, previously renumbered as 7-135).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-3

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

New Hazardous Source Review

1. **AUTHORITY.** To review plans for construction of new sources or for modification of existing sources to determine compliance with emission standards for hazardous air pollutants.
2. **TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-4

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Hazardous Emissions Source Waivers

1. **AUTHORITY.** To grant waivers to existing stationary sources allowing up to two years after the effective date of emission standards for hazardous air pollutants to comply with such standards pursuant to Section 112(c)(1)(8) of the Clean Air Act.
2. **TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 40 C.F.R. Part 61.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-5

Issued: TN 11, 6/13/1978
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Enforcement of Hazardous Emission Standards

1. **AUTHORITY.** To approve State or local agency procedures for implementing and enforcing emission standards for hazardous air pollutants for stationary sources located in such State or portion thereof and to delegate to such State or local agency authority to implement and enforce Federal emission standards for hazardous air pollutants in such State or portion thereof pursuant to Section 112(d) of the Clean Air Act.
2. **TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
3. **LIMITATIONS.** The director of ARD must consult with the director of the Enforcement & Compliance Assurance Division, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-7-6A**

**Issued: TN 58, 1/1/1995
Revised: TN R7-138, 3/2/2020**

CHAPTER 7

CLEAN AIR ACT

Administrative Enforcement Actions Under Section 113: Issuance and Negotiations of Notices, Complaints and Orders, and Signing of Consent Agreements

1. AUTHORITY.

- a. To make findings of violation, to issue notices of violation, to issue orders, to issue or withdraw complaints, to issue penalty orders, to issue administrative compliance orders, to give written notice of a proposed administrative penalty, to issue field citations, and to compromise, modify or remit administrative penalties, except for new source review orders;
- b. To negotiate and confer with the alleged violator pursuant to the Clean Air Act; and
- c. To sign consent agreements memorializing settlements between the agency and respondents.

2. TO WHOM REDELEGATED.

- a. These authorities are redelegated to the director of the Enforcement & Compliance Assurance Division.
- b. The authority in paragraph 1.b. is redelegated to the regional counsel.

3. LIMITATIONS. The director of ECAD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraphs 1.a. and 1.c.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraph 1.b. may be redelegated to the staff level.
- b. The authority in paragraph 1.c. may be redelegated to the level of branch chief and no further.
- c. The authority in paragraph 1.a. may not be redelegated.

- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 113(a), (d), and (e) of the Clean Air Act.
- b. Delegation 7-37, “Administrative Enforcement Actions: New Source Review Orders.”
- c. Delegation 7-49, “Emergency Administrative Powers.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-7-6B**

**Issued: TN 40, 5/21/1992
Revised: TN R7-133, 4/29/2019**

CHAPTER 7

CLEAN AIR ACT

Administrative Enforcement Actions Under Section 113: Agency Representation in Hearings and Negotiation of Consent Agreements

1. AUTHORITY.

- a. To represent the Environmental Protection Agency in administrative proceedings conducted under the Clean Air Act;
- b. To negotiate consent agreements between the agency and respondents resulting from such enforcement actions; and
- c. To represent the agency in appeals from administrative determinations.

2. TO WHOM REDELEGATED.

- a. These authorities are redelegated to the regional counsel.
- b. The authority in paragraph 1.b. is redelegated to the director of the Enforcement & Compliance Assurance Division.

3. LIMITATIONS. None.

4. REDELEGATION AUTHORITY.

- a. These authorities may be redelegated to the staff level and no further.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. Section 113(d) of the Clean Air Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-6C

Issued: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Administrative Enforcement Actions: Issuance of Consent Orders and Final Orders

1. AUTHORITY.

- a. To issue consent orders memorializing settlements between the agency and respondents resulting from administrative enforcement actions under the Clean Air Act.
- a. To issue final orders assessing penalties under the Clean Air Act.

2. TO WHOM REDELEGATED. These authorities are redelegated to the Regional Judicial Officer.

3. LIMITATIONS. The Regional Judicial Officer may not be employed by the Enforcement & Compliance Assurance Division or by any program office directly associated with the type of violation at issue in the involved proceeding.

4. REDELEGATION AUTHORITY.

- a. This authority may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. 40 C.F.R. Part 22.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-8

Issued: TN 67, 7/5/1996
Revised: TN R7-138, 3/2/2020

CHAPTER 7

CLEAN AIR ACT

Inspections and Information Gathering

- 1. AUTHORITY.** Pursuant to the Clean Air Act, including Sections 114 and 307 of the CAA, the authority to:
 - a. Enter, upon or through, the premises of any person who owns or operates an emission source, who manufactures emission control equipment or process equipment, who the Administrator believes may have information necessary for the purposes set forth in Section 114 of the CAA, or who is subject to any requirements of the CAA; and to enter premises where records required to be maintained under the CAA are located;
 - b. Have access, at reasonable times, to inspect and copy any records and inspect monitoring equipment or methods, which are required under the CAA; and to sample any emissions, which are required to be sampled under the CAA;
 - c. Require enhanced monitoring and submission of compliance certifications by any owner or operator of a major stationary source or any other person;
 - d. Give notice to the States of inspections, and determine if such notices are not required;
 - e. Require the owner or operator of any emission source, or a person who manufactures emission control equipment or process equipment, or any person who the Administrator believes may have information necessary for the purposes set forth in Section 114 of the CAA, or any person subject to any requirement of the CAA to: establish and maintain records; make reports; install, use, and maintain monitoring equipment and use audit procedures or methods; sample emissions; keep records on control equipment parameters, production variables, or other indirect data when direct monitoring of emissions is impractical; and provide other information as the Administrator may reasonably require;

- f. Obtain and execute warrants for the purpose of performing inspections or information gathering;
- g. Carry out any other inspection and information gathering activities authorized by the CAA;
- h. Require the carrying out of any other inspection and information gathering activities authorized by the CAA;
- i. Issue subpoenas for the attendance and testimony of witnesses and the production of relevant papers, books, and documents and administer oaths and in case of contumacy or refusal to obey such a served subpoena to request the issuance of an order requiring persons to appear and give testimony, to appear and/or produce papers, books, and documents before the Administrator; and
- j. Designate representatives of the Administrator to perform the functions contained in paragraphs 1.a. through 1.e., 1.g., and 1.h.

2. TO WHOM REDELEGATED.

- a. The authority in paragraphs 1.a. through 1.e. and 1.g. through 1.j. are redelegated to the director of the Enforcement & Compliance Assurance Division and the director of the Air & Radiation Division.
- b. The authority listed in 1.f. is redelegated to the regional counsel.

3. LIMITATIONS. The directors of ECAD and ARD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraphs 1.e. and 1.i.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a., 1.b., and 1.g. may be redelegated to the staff level and no further.
- b. The authority in paragraphs 1.d., 1.f., and 1.i. may not be redelegated.
- c. The authority in paragraphs 1.c., 1.e., 1.h., and 1.j. may be redelegated to the level of branch chief and no further.
- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 114(a) and (d) and 307(a) of the CAA.
- b. U.S. Environmental Protection Agency Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-9

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Approval of State Procedures

1. **AUTHORITY.** To approve State or local agency procedures for carrying out the authorities detailed in Section 114(a) and to delegate such authorities pursuant to Section 114(b) of the Clean Air Act.
2. **TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-11

Issued: TN 89, 11/9/2000
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Grants and Cooperative Agreements for Investigations, Demonstrations, Surveys and Studies

1. **AUTHORITY.** To approve grants and cooperative agreements with air pollution control agencies; other public or nonprofit private agencies and organizations; and individuals for investigations, demonstrations, surveys, and studies relating to the causes, effects, extent, prevention, and control of air pollution as authorized by subsection 103(b)(3) of the Clean Air Act.
2. **TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
3. **LIMITATIONS.** Regional Senior Resource Officials must review and approve grants and cooperative agreements when total project costs are over \$1 million.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. Parts 30 and 31.
 - b. EPA Assistance Administration Manual.
 - c. Delegation R7-1-14, "Assistance Agreements."
 - d. Delegation 7-138, "Grants and Cooperative Agreements Under Section 112(1)(4) of the Clean Air Act for Development and Implementation of Programs."

- e. EPA Order 5700.1, "Policy for Distinguishing Between Assistance and Acquisition," March 22, 1994.
- f. EPA Order 1130.2A, "Senior Resource Officials and Resource Management Committee," November 6, 1995.
- g. Federal Grant and Cooperative Agreement Act, as amended, 31 U.S.C. § 6301.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-16

Issued: TN R7-131, 1/17/2017
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Parts A and C of Title II of the CAA: Testing, Access and Entry

- 1. AUTHORITY.** Pursuant to the Clean Air Act, including Sections 206 and 208 of the CAA, the authority to:
 - a. Enter, at reasonable times, any plant or other establishment of such manufacturer for the purposes of conducting tests of vehicles or engines in the hands of the manufacturer, pursuant to Section 206(c)(1) of the CAA;
 - b. Inspect, at reasonable times, records, files, papers, processes, controls, and facilities used by such manufacturer in conducting tests under the regulations pursuant to Section 206(c)(2) of the CAA;
 - c. Have access to and copy records required by Section 208(a) of the CAA;
 - d. For the purposes of enforcement of Section 208 of the CAA, to: (1) enter, at reasonable times, any establishment of the manufacturer, or of any person whom the manufacturer engages to perform any activity required by Section 208(a), for the purposes of inspecting or observing any activity conducted pursuant to Section 208(a); and (2) to inspect records, files, papers, processes, controls, and facilities used in performing any activity required by Section 208(a) by such manufacturer or by any person whom the manufacturer engages to perform any such activity, or any other person subject to the requirements of Part A and Part B, pursuant to 208(a);
 - e. Carry out any other inspection and information gathering activities authorized by Title II;
 - f. Require the carrying out of any other inspection and information gathering activities authorized by Title II;
 - g. Designate persons who shall be authorized pursuant to Section 206(c) of the CAA to perform the functions specified in paragraphs 1.a. and 1.b.;

- h. Designate persons who shall be authorized pursuant to Section 208(a) of the CAA to perform the functions specified in paragraphs 1.c.; and
- i. Designate persons who shall be authorized pursuant to Section 208(b) of the CAA to perform the functions specified in paragraphs 1.d and 1.e.

2. TO WHOM REDELEGATED. These authorities are redelegated to the director of the Enforcement & Compliance Assurance Division and the director of the Air & Radiation Division.

3. LIMITATIONS. The authority in paragraph 1.d. does not include the authority to issue written information requests, which is reserved to the director of the Enforcement & Compliance Assurance Division and the director of the Air & Radiation Division.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a. through 1.e. may be redelegated to the staff level and no further.
- b. The authority in paragraphs 1.f. through 1.i. may not be redelegated.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. 40 C.F.R. Parts 85, 86, 89-92, 94, 600, 1033, 1036, 1037, 1039, 1042, 1045, 1048, 1051, 1054, 1060, 1065 and 1068.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-17

Issued: TN R7-131, 1/17/2017
Revised: TN R7-138, 3/2/2020

CHAPTER 7

CLEAN AIR ACT

Parts A and C of Title II of the CAA: Information Gathering

1. **AUTHORITY.** To require, pursuant to Section 208(a) of the Clean Air Act, manufacturers of new motor vehicles or new motor vehicle engines, manufacturers of new motor vehicle or engine parts or components, and other persons subject to the requirements of Part A or Part C of Title II of the Act to establish and maintain records, perform tests where reasonably available under Part A and Part C of Title II of the Act (including fees for testing), make reports, and provide information that may be reasonably required in order to (a) determine whether the manufacturer or other person has acted or is acting in compliance with Part A and Part C and the regulations thereunder, or (b) otherwise carry out the provisions of Part A and Part C and the regulations thereunder.
2. **TO WHOM REDELEGATED.** These authorities are redelegated to the director of the Enforcement & Compliance Assurance Division and the director of the Air & Radiation Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 40 C.F.R. Parts 79, 80, 85, 86, 89-92, 94, 600, 1033, 1036, 1037, 1039, 1042, 1045, 1048, 1051, 1054, 1060, 1065, and 1068.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-19

Issued: TN R7-131, 1/17/2017
Revised: TN R7-138, 3/2/2020

CHAPTER 7

CLEAN AIR ACT

Compromise, Remittance and Settlement of Administrative Penalties associated with Violations of Title II of the Clean Air Act

- 1. AUTHORITY.** Pursuant to Title II of the Clean Air Act, the authority to:
 - a. Commence an administrative penalty action pursuant to Sections 205(c), 211(d), and 213(d) of the CAA by providing written notice of a proposal to assess a penalty for any violations under Sections 203, 211, and/or 213 of the CAA;
 - b. Compromise or remit administrative penalties, with or without conditions, which may be imposed pursuant to Sections 205(c), 211(d), and 213(d) of the CAA, for any violation under Sections 203, 211, and/or 213 of the CAA;
 - c. Determine the facts in conjunction with commencing an administrative penalty action and/or compromise or remittance of penalties;
 - d. Settle administrative penalty actions under Sections 205(c), 211(d), and/or 213(d); and
 - e. Take all associated actions pursuant to the CAA.
- 2. TO WHOM REDELEGATED.** These authorities redelegated to the director of the Enforcement & Compliance Assurance Division.
- 3. LIMITATIONS.** The Administrator's authority to grant waivers under Section 211(f)(4) of the CAA or issue regulations under Section 211 of the CAA is not included in this redelegation.
- 4. REDELEGATION AUTHORITY.**
 - a. The authority in paragraph 1.a. may not be redelegated.

- b. The authority in paragraphs 1.b. through 1.e. may be redelegated to the level of branch chief and no further.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. For civil judicial actions see delegation R7-7-22A, “Civil Judicial Enforcement Actions, Including Collection Actions,” and 7-22D, “Emergency Temporary Retaliation Orders.”
- b. For civil administrative actions other than those under Title II, delegations R7-7-6A, R7-7-6B, and R7-7-6C.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-7-22A**

**Issued: TN R7-131, 1/17/2017
Revised: TN R7-133, 4/29/2019**

CHAPTER 7

CLEAN AIR ACT

Civil Judicial Enforcement Actions, Including Collection Actions

- 1. AUTHORITY.** To appear and represent the agency in any Clean Air Act civil enforcement action where the Attorney General has refused or failed to appear and represent the agency, exclusive of appeals.
- 2. TO WHOM REDELEGATED.** This authority is redelegated to the regional counsel.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to staff attorneys within the Office of Regional Counsel and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.**
 - a. Memorandum of Understanding between the U.S. Environmental Protection Agency and the Department of Justice, June 1977, 42 Fed. Reg. 48942 (1977).
 - b. Direct referral agreement memorialized in letter of September 29, 1983, from Alvin L. Alm, Deputy Administrator, to F. Henry Habicht, Assistant Attorney General, regarding direct referrals; Sections 113(b), 204, 205, 302(a)(2), and 305 of the CAA.
 - c. For referrals of requests for emergency CAA Temporary Restraining Orders, see the delegation R7-7-22D, "Emergency TROs."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-24

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Implementation Procedures for Preconstruction Review

1. **AUTHORITY.** To implement procedures for preconstruction review for stationary and indirect sources under regulations in 40 C.F.R. Part 52 and to implement procedures for preconstruction review for prevention of significant deterioration (PSD) for new or modified major (stationary) sources under the regulations in 40 C.F.R. § 52.21, including issuance of PSD permits.
2. **TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
3. **LIMITATIONS.** The director of ARD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-25

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Delegation of Authority for Preconstruction Review

1. **AUTHORITY.** To delegate authority to state or local agencies for preconstruction review of new or modified direct (stationary) and indirect sources of the type described in 40 C.F.R. Part 52. Also, to delegate authority to state or local agencies to implement preconstruction review for prevention of significant deterioration for new or modified major stationary sources under the regulation in 40 C.F.R. § 52.21.
2. **TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-28

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Modifications to the Attainment and Maintenance Requirements of 40 C.F.R. Part 51

1. **AUTHORITY.** To modify certain procedures to be used for estimating future emissions and air quality concentrations and for developing new control strategies necessary to ensure the attainment and maintenance of the national ambient air quality standards. These procedures pertain to the analysis and development of plans for air quality maintenance areas (AWMAs), required under 40 C.F.R. Part 51. Authorities delegated will be in accordance with, but limited to, the requirements of the following sections of 40 C.F.R. Part 51:
 - a. Section 51.7(e)(3), Identification of matters on which States must report;
 - b. Section 51.42, Specification of AWMA analysis period;
 - c. Section 51.53(b), Specification of years for providing information on the demonstration of adequacy of the plan;
 - d. Section 51.57, Consultation with a state in determining what constitutes sufficient time for adoption of laws and regulations to ensure maintenance of the national standards;
 - e. Section 51.60(a), Specification of the years for which information about resources must be submitted; and
 - f. Section 51.63, Approval of alternative procedures.
2. **TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.

- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-33

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Subpoenas and Administration of Oaths

1. **AUTHORITY.** To act pursuant to the Clean Air Act for the purpose of issuing subpoenas for the attendance and testimony of witnesses and the production of relevant papers, books and documents, including documentary evidence; and for the purpose of administering oaths.
2. **TO WHOM REDELEGATED.** Directors of the Air & Radiation Division and the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Sections 307(a), 113(d)(2)(A), and 205(c)(1) of the Clean Air Act.
 - b. 40 C.F.R. Part 22.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-35

Issued: TN 89, 11/9/2000
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Air Pollution Control Manpower Training Assistance

1. **AUTHORITY.** To approve grants or cooperative agreements to air pollution control agencies, other public or nonprofit private agencies, institutions, and organizations for conducting and promoting coordination and acceleration of training for individuals relating to the causes, effects, extent, prevention, and control of air pollution under the authority of Section 103(b) of the Clean Air Act.
2. **TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
3. **LIMITATIONS.** Senior Resource Officials must review and approve grants and cooperative agreements when total project costs are \$1 million or over.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. Parts 30, 31, and 45.
 - b. EPA Assistance Administration Manual.
 - c. Delegation 1-14, "Assistance Agreements."
 - d. EPA Order 1130.1, "Senior Resource Officials and Resource Management Committee," approved November 6, 1995.

- e. EPA Order 5700.1, "Policy for Distinguishing Between Assistance and Acquisition," approved March 22, 1994.
- f. Delegation R7-1-14, "Assistance Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-41A

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Noncompliance Penalty: Assessment and Signing Consent Agreements

1. **AUTHORITY.** To negotiate consent agreements memorializing settlements between the agency and respondents under Section 120 of the Clean Air Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the regional counsel.
3. **LIMITATIONS.**
 - a. Prior to exercising this authority, the regional counsel must consult with the assistant administrator for the Office of Enforcement and Compliance Assurance and obtain the concurrence of the director of the Enforcement & Compliance Assurance Division. The AA for OECA may waive the requirement of consultation in writing.
 - b. The AA for OECA may exercise this authority in multi-regional cases and in cases of national significance.
4. **REDELEGATION AUTHORITY.** This authority may not be redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-41B

Issued: TN 18, 1/26/1986
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Noncompliance Penalty: Agency Representation in Hearings and Signing of Agreements

1. AUTHORITY.

- a. To represent the U.S. Environmental Protection Agency in civil penalty adjudications conducted under the noncompliance penalty section, Section 120(a) of the Clean Air Act, and 5 U.S.C. § 554;
- b. To negotiate consent agreements between the agency and respondents resulting from such enforcement actions; and
- c. To represent the agency in appeals from an administrative determination initiated by the assistant administrator for the Office of Enforcement and Compliance Assurance.

2. TO WHOM REDELEGATED. This authority is redelegated to the regional counsel.

3. LIMITATIONS. The agency official who signed the complaint should sign the settlement agreement.

4. REDELEGATION AUTHORITY.

- a. This authority may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. Section 120 of the CAA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-41C

Issued: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Noncompliance Penalty: Issuance of Consent Orders and Final Orders

1. AUTHORITY.

- a. To issue consent orders memorializing settlements between the Agency and respondents resulting from administrative enforcement actions under the Clean Air Act; and
- b. To issue final orders assessing penalties under the Clean Air Act.

2. TO WHOM REDELEGATED. These authorities are redelegated to the Regional Judicial Officer.

3. LIMITATIONS. The Regional Judicial Officer may not be employed by the Enforcement & Compliance Division or by any program office directly associated with the type of violation at issue in the involved proceeding.

4. REDELEGATION AUTHORITY.

- a. These authorities may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. 40 C.F.R. Part 22.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-42

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Noncompliance Penalty: Assessment in the Absence of State Action

1. **AUTHORITY.** Pursuant to regulations promulgated under Section 120 of the Clean Air Act, the authority to negotiate consent agreements memorializing settlements between the agency and respondents prior to the issuance of a notice of noncompliance.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the regional counsel.
3. **LIMITATIONS.**
 - a. Prior to exercising this authority, the regional counsel must consult with the assistant administrator for the Office of Enforcement and Compliance Assurance and obtain the concurrence of the director of the Enforcement & Compliance Assurance Division. The AA for OECA may waive the requirement of consultation in writing.
 - b. The AA for OECA may exercise this authority in multi-regional cases and cases of national significance.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Section 120(a)(A) and (B) of CAA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-45

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Noncompliance Penalty: Notice of Noncompliance

1. **AUTHORITY.** Pursuant to regulations promulgated under the noncompliance penalty section, Section 120 of the Clean Air Act, the authority to provide a brief but reasonably specific notice of noncompliance to each person who is not in compliance.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.**
 - a. Prior to exercising this authority, the director of ECAD must consult with the regional counsel and the assistant administrator for the Office of Enforcement and Compliance Assurance. The AA for OECA may waive the requirement of consultation in writing.
 - b. The AA for OECA may exercise these authorities in multi-regional cases and cases of national significance.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Section 120 of the CAA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-47

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Non-Compliance Penalty: Independent Calculation

1. **AUTHORITY.** To approve requisitions for contracts which assist in determining the amount of the penalty assessment or payment schedule in accordance with Section 120(c) of the Clean Air Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-57

Issued: TN R7-132, 4/13/2017
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Clean Air Act Section 309 Review Process

1. **AUTHORITY.** To review and comment on the environmental impact, in accordance with Section 309(a) of the Clean Air Act, of legislation proposed by any federal department or agency, newly authorized federal projects for construction and any major federal actions (other than a project for construction) to which the National Environmental Policy Act applies and proposed regulations published by any department or federal government agency. This includes the authority to:
 - a. Review, comment, and make recommendations on Findings of No Significant Impact (FONSIs);
 - b. Review, comment, and make recommendations on scoping level summaries for Environmental Assessments (EAs); and
 - c. Review, comment, and make recommendations on EAs.
2. **TO WHOM REDELEGATED.** These authorities are redelegated to the NEPA Program Manager.
3. **LIMITATIONS.** The authority to comment in writing on the environmental impacts under paragraph 1 that are: 1) national in scope, 2) embody a high degree of national controversy or significance, or 3) raise novel policy considerations is limited to the assistant administrator of the Office of Policy.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may be redelegated to the NEPA Program Manager and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. **ADDITIONAL REFERENCES.** U.S. Environmental Protection Agency Policy and Procedures Manual for the Review of Federal Actions Impacting the Environment, October 3, 1984.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-67

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

State Implementation Plan Completeness Determinations

1. **AUTHORITY.** To make completeness determinations on State Implementation Plan (SIP) submittals pursuant to Section 110(k)(1)(B) of the Clean Air Act.
2. **TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
3. **LIMITATIONS.** This redelegation does not apply to a completeness determination that constitutes a finding under Section 179(a)(1) of the Clean Air Act that a State failed to submit a complete SIP or SIP element.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 110 of the Clean Air Act (CAA), 41 U.S.C. §7410, as amended by the Clean Air Act Amendments of 1990.
 - b. Section 179 of the Clean Air Act, 42 U.S.C. § 7509, as amended by the Clean Air Act Amendments of 1990.
 - c. Appendix V of 40 C.F.R. Part 51.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-7-114**

**Issued: TN 95, 6/12/2001
Revised: TN R7-133, 4/29/2019**

CHAPTER 7

CLEAN AIR ACT

Implementation of Operating Permits Program

1. AUTHORITY.

- a. To promulgate and administer the Federal operating permits program under Title V of the Clean Air Act and 40 C.F.R. Part 71.
- b. To promulgate and administer the State, local, and Tribal operating permits program under Title V of the CAA and 40 C.F.R. Part 70.

2. TO WHOM REDELEGATED. Director of the Air & Radiation Division.

3. LIMITATIONS.

- a. The Administrator retains the authority to respond to petitions objecting to the issuance of permits filed in accordance with Section 505(b)(2) of the CAA.
- b. The Administrator retains the authority to promulgate and revise nationally applicable provisions of the operating permits programs under 40 C.F.R. Parts 70 and 71.
- c. The Regional Administrator retains the following authorities:
 - i. Approving or disapproving State, local, and Tribal operating permits program and revisions, pursuant to subsection 502(d) of the CAA;
 - ii. Providing notice that a permitting authority is not adequately administering and enforcing a program, or portion thereof, in accordance with the criteria defined in 40 C.F.R. Part 70;
 - iii. Withdrawing approval of a State, local or Tribal program, or portion thereof, under 40 C.F.R. Part 70; or

- iv. Promulgating a Federal operating permits program for a State, local government, or Tribe that varies from the nationally applicable Federal program under 40 C.F.R. Part 71.
- d. The director of ARD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising these authorities.

4. REDELEGATION AUTHORITY.

- a. These authorities may be redelegated to the level of branch chief and no further.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-7-116**

**Issued: TN 67, 7/5/1996
Revised: TN R7-133, 4/29/2019**

CHAPTER 7

CLEAN AIR ACT

Compliance Extensions

1. AUTHORITY.

- a. To approve or disapprove compliance extensions for affected existing sources, under 40 C.F.R. § 63.6 and 40 C.F.R. § 65.63(f)(4) and pursuant to Sections 111 and 112 of the CAA.
- b. To determine compliance with non-opacity, opacity, and visible emission standards, pursuant to the CAA, including Sections 111 and 112 of the CAA.

2. TO WHOM REDELEGATED. These authorities are redelegated to the director of the Enforcement & Compliance Assurance Division and the director of the Air & Radiation Division.

3. LIMITATIONS. Prior to exercising this authority, the director of ECAD must obtain the concurrence of the director of ARD, or her or his designee, and the director of ARD must obtain the concurrence of the director of ECAD, or her or his designee.

4. REDELEGATION AUTHORITY.

- a. These authorities may be redelegated to the level of branch chief and no further.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. 40 C.F.R. §§ 63.6, 65.63(f)(4).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-117

Issued: TN 67, 7/05/1996
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Approval of Site-Specific Test Plans

1. **AUTHORITY.** To approve or disapprove site-specific test plans submitted prior to conducting a required performance test pursuant to Section 112(d), 112(f), and 112(h) of the Clean Air Act.
2. **TO WHOM REDELEGATED.** This authority is delegated to the director of the Enforcement & Compliance Assurance Division and the director of the Air & Radiation Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. § 63.7(c) and 40 C.F.R. § 63.7(d).
 - b. Section 112 of the Clean Air Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-7-118**

**Issued: TN 67, 7/5/1996
Revised: TN R7-133, 4/29/2019**

CHAPTER 7

CLEAN AIR ACT

Construction and Reconstruction

1. **AUTHORITY.** To approve or disapprove applications for construction of new sources or reconstruction of existing sources applicable to National Emission Standards for Hazardous Air Pollutants under 40 C.F.R. Part 63 pursuant to Sections 112(d), 112(f), 112(h), and 112(i) of the Clean Air Act. The approval of construction or reconstruction will be based on, among other things, 40 C.F.R. §§ 63.1 and 63.5.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Air & Radiation Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 112 of the CAA.
 - b. 40 C.F.R. § 63.5.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-119

Issued: TN 67, 7/5/1996
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Performance Test

1. **AUTHORITY.** To approve the use of a reference method with minor changes in test methodology, to approve shorter sampling times and smaller sampling volumes when necessitated by process variables, to waive the requirement for a performance test pursuant to Section 111(f), 111(h), 112(d), 112(f) and 112(h) of the Clean Air Act if the owner or operator of an affected source has demonstrated by other means that the affected source is in compliance.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Air & Radiation Division and the director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. § 63.7(e)(2)(i), (e)(2)(iii), (e)(2)(iv), and (h).
 - b. 40 C.F.R. § 61.13(h)(1)(i) and (iii).
 - c. 40 C.F.R. § 60.8(b)(1), (b)(4), and (b)(5)
 - d. Section 111 of the Clean Air Act.
 - e. Section 112 of the Clean Air Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-7-120**

**Issued: TN 67, 7/5/1996
Revised: TN R7-133, 4/29/2019**

CHAPTER 7

CLEAN AIR ACT

Approval of Site-Specific Performance Evaluation Test Plan

1. **AUTHORITY.** To approve or disapprove site-specific performance evaluation test plans submitted before conducting a required Continuous Monitoring System (CMS) performance evaluation pursuant to Section 112(d), 112(f) and 112(h) of the Clean Air Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Air & Radiation Division and the director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. § 63.8(c)(1)(iii), (e)(1), and (e)(3).
 - b. Section 112 of the Clean Air Act.

Delegation Superseded By:

Delegation Rescinded By:



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-121

Issued: TN 67, 7/5/1996
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Alternative Methods

1. **AUTHORITY.** To approve or disapprove alternatives to any monitoring methods required under 40 CFR Part 60, 61, or 63 pursuant to Section 111(f), 111(h), 112(d), 112(f) and 112(h) of the Clean Air Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Air & Radiation Division and the director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. § 60.8(b)(2) and (b)(3)
 - b. 40 C.F.R. § 61.13(h)(1)(ii).
 - c. 40 C.F.R. § 63.6(g), 40 C.F.R. § 63.7(e)(2)(ii), 40 C.F.R. § 63.7(f), and 40 C.F.R. § 63.8(f).
 - d. Section 111 of the Clean Air Act.
 - e. Section 112 of the Clean Air Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-122

Issued: TN 67, 7/5/1996
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Adjusting to Time Periods for Submitting Reports

1. **AUTHORITY.** To approve or disapprove an adjustment of a time period or postmark deadline for submittal of required information (without changing the frequency of reporting) pursuant to Section 112(d), 112(f), and 122(h) of the Clean Air Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Air & Radiation Division and the director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. § 63.9(i) and 63.10(a).
 - b. Section 112 of the Clean Air Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-123

Issued: TN 67, 7/5/1996
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Reduced Frequency of Reporting

1. **AUTHORITY.** To approve or disapprove a reduction in the frequency of reporting of excess emissions and continuous monitoring system performance (and summary) reports required to comply with a relevant standard (from quarterly, or more frequent, to semiannual) pursuant to Section 112(d), 112(f), and 112(h) of the Clean Air Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Air & Radiation Division and the director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. § 63.10(e)(3)(ii) and (e)(3)(iii).
 - b. Section 112 of the Clean Air Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-124

Issued: TN 67, 07/05/1996
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Waiver of Recordkeeping or Reporting Requirements

1. **AUTHORITY.** To approve or disapprove requests to waive recordkeeping or reporting requirements pursuant to Section 112(d), 112(f), and 112(h) of the Clean Air Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Air & Radiation Division and the director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.** Approval of any waiver shall not abrogate the Administrator's authority under the Act or in any way prohibit the Administrator from later canceling the waiver.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. § 63.19(f).
 - b. Section 112 of the Clean Air Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-125

Issued: TN 67, 7/5/1996
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Implementation of the Early Reductions Rule

1. **AUTHORITY.** Per Early Reduction Rule established in 40 CFR 63, Subpart D and pursuant to Section 112(i) of the Clean Air Act, this authority includes: (a) to approve or disapprove enforceable commitments and emission reduction demonstrations submitted by participants in the Early Reductions Program; (b) to determine the compliance status of the approved enforceable commitments and to take appropriate enforcement actions; and (c) to grant compliance extensions to sources successfully demonstrating achieving qualifying early reductions of hazardous air pollutant emissions.
2. **TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
3. **LIMITATIONS.** The director of the Air & Radiation Division must consult with the regional counsel, or her or his designee, prior to exercising any of these authorities.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. §§ 63.71 – 63.81.
 - b. Section 112 of the Clean Air Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-126

Issued: TN 67, 7/5/1996
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Issuance of Specialty Permits Under Early Reductions Program

1. **AUTHORITY.** To issue specialty Title V permits under 40 CFR Part 71, Subpart B and pursuant to Section 112(i) of the Clean Air Act, which establishes alternative emission limitations for sources that have successfully demonstrated achieving early reductions under the Early Reductions Program.
2. **TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
3. **LIMITATIONS.** The director of the Air & Radiation Division must consult with the regional counsel, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. §§ 71.21 – 71.27.
 - b. Section 112 of the Clean Air Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-127

Issued: TN 67, 7/5/1996
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Applicability Determinations

1. **AUTHORITY.** To issue determinations pertaining to applicability of a source to 40 C.F.R. Parts 60, 61, and 63 and pursuant to the Clean Air Act, including Sections 111(b), 111(d), 111(f), 111(h), 112(d), 112(f) and 112(h) of the CAA.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Air & Radiation Division and the director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.** The directors of ARD and ECAD must provide summaries and copies of the applicability determinations on a quarterly basis to the applicability determination index.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically delegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. §§ 60.5 and 61.06.
 - b. See "How to Review and Issue CAA Applicability Determinations and Alternative Monitoring (NSPS and NESHAPS)" manual and any superseding or related guidance documents.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-7-128**

**Issued: TN 67, 7/5/1996
Revised: TN R7-133, 4/29/2019**

CHAPTER 7

CLEAN AIR ACT

Establishment of Monitoring Parameters to Demonstrate Compliance

1. **AUTHORITY.** To establish monitoring parameters, values, or levels, and procedures that are used to demonstrate compliance with standards that are promulgated at 40 C.F.R. Parts 63 and 65, and under Sections 111 and 112 of the CAA.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Air & Radiation Division and the director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.** The assistant administrator for the Office of Enforcement and Compliance Assurance may exercise this authority in multi-regional cases or cases of national significance.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. §§ 63.463(f)(1)(ii), 63.453(g).
 - b. 40 C.F.R. § 65.63(d).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-139

Issued: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Implementation and Enforcement of 111(d)(2) and 111(d)/(2)/129(b)(3) Federal Plans

1. **AUTHORITY.** To implement and enforce Federal plans promulgated pursuant to Sections 111(d)(2) or 111(d)(2)/129(b)(3) of the Clean Air Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Air & Radiation Division and the director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 301(a) of the Clean Air Act, 42 U.S.C. § 7601(a), as amended by the Clean Air Act Amendments of 1990, Pub. L. No. 101-549, 104 Stat. 2399.
 - b. Section 301(d) of the Clean Air Act, 42 U.S.C. § 7601(d), as amended by the Clean Air Act Amendments of 1990, Pub. L. No. 101-549, 104 Stat. 2399.
 - c. 40 CFR §§ 49.6 and 49.7.
 - d. 40 CFR § 60.27.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-7-143**

Issued: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Variances and Compliance Extensions

- 1. AUTHORITY.** Pursuant to 40 C.F.R. Part 59, the authority to:
 - a. Grant or deny requests for variances;
 - b. Receive, determine completeness of, and make notifications regarding variance requests;
 - c. Hold public hearings;
 - d. Revoke variances; and
 - e. Grant or deny requests for compliance extensions.
- 2. TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.** Section 183(e) of the Clean Air Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-144

Issued: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Exceedance Fees

1. **AUTHORITY.** To receive and process exceedance fees using criteria defined in 40 C.F.R. Part 59.
2. **TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Section 183(e) of the Clean Air Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-145

Issued: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Record Keeping and Reporting Requirements

1. **AUTHORITY.** To request and receive records and reports and other information pursuant to 40 C.F.R. Part 59.
2. **TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Section 183(e) of the Clean Air Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-148

Issued: TN 93, 5/8/2001
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Provisions for the Prevention and Mitigation of Accidental Releases of Hazardous Chemicals Under Clean Air Act Section 112(r)

1. **AUTHORITY.** The authority to carry out the provisions of Clean Air Act Section 112(r) to be implemented by the Administrator, except as limited below. Those provisions concern the prevention and mitigation of accidental releases of substances listed pursuant to paragraph (3) of the Section or any other extremely hazardous substance. The authority being delegated includes, but is not limited to, the authority to provide program direction, guidance and support, issue general notices, as well as the authority to:
 - a. Respond to the recommendations of the Chemical Safety and Hazard Investigation Board pursuant to Section 112(r)(6)(H) and (I); and
 - b. Implement the regulations issued under Section 112(r)(7), including auditing Risk Management Plans and requiring revisions.
2. **TO WHOM REDELEGATED.** These authorities are redelegated to the director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.**
 - a. The authority in paragraph 1.a. must be exercised in accordance with procedures developed by the assistant administrator for the Office of Land & Emergency Management, in consultation with other program offices and the EPA regions.
 - b. The authority in paragraph 1.b. may be exercised when an action principally involves or affects a specific facility, or State or local entity.
4. **REDELEGATION AUTHORITY.**
 - a. The authority in paragraph 1.b. may be redelegated to the level of branch chief and no further.

- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. 40 C.F.R. Part 68, Chemical Accident Prevention Provisions, Subparts F, G, and H
- b. 1993 Presidential Review by EPA and National Response Team.
- c. Public Law 106-40, Section 3.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-154

Issued: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Implementation Schedule Approval

1. **AUTHORITY.** To approve or disapprove the implementation schedule proposed by the source owner or operator under standards promulgated at 40 CFR Part 65 and pursuant to Sections 111(f), 111(h), 112(d), 223(f) and 112(h) of the Clean Air Act.
2. **TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 40 C.F.R. § 65.1(f).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-155

Issued: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Application to Use Previously Generated Monitoring Data

1. **AUTHORITY.** To approve or disapprove data generated before the date of compliance to waive the daily average recordkeeping requirement with standards promulgated at 40 C.F.R. Parts 63 and 65 and pursuant to Sections 111(f), 111(h), 112(d), 112(f) and 112(h) of the Clean Air Act.
2. **TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 40 C.F.R. § 65.1(f).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-7-156**

**Issued: TN R7-131, 1/17/2017
Revised: TN R7-133, 4/29/2019**

CHAPTER 7

CLEAN AIR ACT

Performance Test Rescheduling

1. **AUTHORITY.** To approve or disapprove performance test rescheduling pursuant to the Clean Air Act, including Sections 111, 112, 114 and 129 of the CAA and standards promulgated at 40 C.F.R. Parts 60, 61, 63, and 65.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Air & Radiation Division and the director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.** The assistant administrator for the Office of Enforcement and Compliance Assurance may exercise this authority in multi-regional cases and cases of national significance.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. § 60.8(a)(1)-(4), 60.8(d).
 - b. 40 C.F.R. § 61.13(a)(3)-(6).
 - c. 40 C.F.R. § 63.7(a)(4), (b)(2).
 - d. 40 C.F.R. §§ 65.157(c)(1)(viii)-(xi), 65.164(b)(1).
 - e. Section 111(f) and (h) and Section 112(d), (f), and (h) of the CAA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-159

Issued: TN 118, 5/09/2013
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Grants, Cooperative Agreements, Rebates and Low-Cost Revolving Loans to Achieve Reductions in Diesel Emissions

1. **AUTHORITY.** To take all necessary actions to approve grants, cooperative agreements, and low-cost revolving loans relating to reducing diesel emissions pursuant to any of the authorities included in the Diesel Emissions Reduction Act of 2010, 2 U.S.C. 16131 et seq. and annual appropriations acts.
2. **TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
3. **LIMITATIONS.** Approvals are subject to any guidance issued by the Office of the Comptroller, the Office of Grants and Debarment, and the Office of Air & Radiation.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Delegation 1-14, "Assistance Agreements."
 - b. The EPA Assistance Administration Manual including Chapter 7, Assistance to Project Activities Outside the United States.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-161

Issued: TN 128, 4/4/2016
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Decision Making on Exceptional Events

1. **AUTHORITY.** To determine whether a submitting air agency has provided exceptional events documentation that satisfies the technical and procedural requirements in 40 C.F.R. Parts 50 and 51 (50.1, 50.14, and 51.930) and, as appropriate, to concur or non-concur with an air agency's request to exclude data within the Air Quality System database.
2. **TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
3. **LIMITATIONS.**
 - a. The director of ARD must consult with the assistant administrator for the Office of Air & Radiation, or her or his designee, and the General Counsel, or her or his designee, where a determination involves a deviation from exceptional events implementation guidance.
 - b. The director of ARD must consult with technical and policy staff within the Office of Air Quality Planning & Standards before making a determination of whether a submitting air agency has provided exceptional events documentation that satisfies the technical and procedural requirements in 40 C.F.R. Parts 50 and 51. Similarly, the director of ARD must consult with the assistant administrator for OAR, or her or his designee, where a determination involves a deviation from exceptional events implementation guidance.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. **ADDITIONAL REFERENCES.** Section 319(b) of the CAA as amended by Section 6013 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-174

Issued: TN 117, 4/18/2013
Revised: TN R7-133, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Minor and Major Nonattainment New Source Review Permits in Indian Country

1. **AUTHORITY.** To take any action assigned to the U.S. Environmental Protection Agency Administrator necessary to fully implement the federal minor New Source Review program in Indian Country and the federal major New Source Review program for nonattainment areas in Indian Country promulgated pursuant to 42 U.S.C. §§ 7601(a) and 7601(d)(4) and in accordance with 40 C.F.R. §§ 49.151-.161 and 49.166-.173, respectively.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Air & Radiation Division.
3. **LIMITATIONS.** The director of ARD must obtain the concurrence of the regional counsel or designee before exercising these authorities.
4. **REDELEGATION AUTHORITY.**
 - a. The authority to issue permits and take other related permitting actions for the federal minor New Source Review program in Indian Country may be redelegated to the level of branch chief and no further.
 - b. The authority to issue permits and take other related permitting actions for the federal major New Source Review program for nonattainment areas in Indian Country may not be redelegated.
 - c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-8-1

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

State Solid Waste Management Plans, Grants and State Program Submittals

1. **AUTHORITY.** To approve or disapprove State Solid Waste Management Plans, to approve grants for State pollution control programs, and approve or disapprove State program submittals pursuant to Section 4007 and 4009 of the SWDA.
2. **TO WHOM REDELEGATED.** Director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Delegation R7-1-14, "Assistance Agreements."

Note: Per Memo, 12/4/1995, Director Air, RCRA and Toxics Division to Acting Assistant Regional Administrator for Policy and Management, the following responsibilities for Award of Grants under this delegation is outlined as follows: On Programmatic Certification forms covering Section 4007 and 4008, the Division Director has been delegated as the Award Official, the Decision Official is the Branch Chief, and the Recommending Official is the Project Officer.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-8-6

Issued: TN R7-58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Permits for Treatment, Storage, and Disposal of Hazardous Waste

1. **AUTHORITY.** To perform all actions necessary to issue, deny, modify, or revoke and revise or terminate permits for owners and operators of hazardous waste treatment, storage, and disposal facilities pursuant to Section 3005 of SWDA, as amended.
2. **TO WHOM REDELEGATED.** Director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-8-8**

**Issued: TN 18, 2/21/1979
Revised: TN R7-138, 3/2/2020**

Chapter 8

SOLID WASTE DISPOSAL ACT

Inspections and Information Gathering

- 1. AUTHORITY.** Pursuant to the Solid Waste Disposal Act, including Sections 3001 and 3007 of the SWDA, the authority to:
 - a. Enter, inspect, and obtain samples from any establishment or other place where hazardous or other wastes are or have been generated, stored, treated, disposed of or transported from; to inspect and have access to and copy all records related to such waste;
 - b. Request any establishment or other place where hazardous wastes are or have been generated, stored, treated, disposed of or transported from to furnish information relating to such waste;
 - c. Conduct monitoring and testing;
 - d. Obtain and execute warrants for the purpose of performing inspections and information gathering;
 - e. Carry out any other inspection and information gathering activities authorized by SWDA;
 - f. Require the carrying out of any other inspection and information gathering activities authorized by the SDWA; and
 - g. Designate representatives of the Administrator to perform the functions specified in paragraphs 1.a., 1.b., 1.c., and 1.e.
- 2. TO WHOM REDELEGATED.**
 - a. The authority in paragraphs 1.a., 1.c., 1.e., 1.f., and 1.g. are redelegated to the director of the Enforcement & Compliance Assurance Division and the director of the Land, Chemical & Redevelopment Division.

- b. The authority in paragraph 1.d. is redelegated to the regional counsel.

3. LIMITATIONS. None.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a., 1.c., and 1.e. may be redelegated to the staff level.
- b. The authority in paragraphs 1.b., 1.f., and 1.g. may be redelegated to the level of branch chief and no further.
- c. The authority in paragraph 1.d. may not be redelegated.
- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 3001(b)(3)(B) and 3007 of the SWDA.
- b. See also Section 3013 of the SWDA for authority to require monitoring, testing, analysis and reporting.
- c. U.S. Environmental Protection Agency Order 3510, “EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-8-9A**

**Issued: R7-18, 1/26/1986
Revised: R7-138, 3/2/2020**

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Administrative Enforcement: Issuance of Complaints, Signing of Consent Agreements, etc.

1. AUTHORITY. Pursuant to the Solid Waste Disposal Act, the authority to:

- a. Make determinations of violations of Subtitle C;
- b. Issue warning letters or other notices;
- c. Issue compliance orders and complaints;
- d. Issue notices to States;
- e. Negotiate consent agreements memorializing settlements between the agency and respondents;
and
- f. Sign consent agreements memorializing settlements between the agency and respondents.

2. TO WHOM REDELEGATED.

- a. These authorities are redelegated to the director of the Enforcement & Compliance Assurance Division.
- b. The authority in paragraph 1.e. is redelegated to the regional counsel.

3. LIMITATIONS.

- a. Regional personnel may exercise these authorities only for those cases initiated by the region.
- b. The director of ECAD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authorities in paragraphs 1.c., 1.d., and 1.f.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a. through 1.d. may not be redelegated.
- b. The authority in paragraph 1.e. may be redelegated to the staff level.
- c. The authority in paragraph 1.f. may be redelegated to the level of branch chief and no further.
- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Solid Waste Disposal Act (SWDA) Sections 3001(b)(3)(B)(iv) and 3008 (except 3008(h)).
- b. Delegation 8-31, "Determination That There Is or Has Been a Release."
- c. Delegation R7-8-31, "Determination That There Is or Has Been a Release."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-8-9B**

**Issued: TN 18, 1/26/1986
Revised: TN R7-138, 3/2/2020**

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Administrative Enforcement: Agency Representation in Hearings and Signing of Consent Agreements

1. AUTHORITY.

- a. To represent the agency in administrative enforcement actions conducted under the Solid Waste Disposal Act and 5 U.S.C. § 554.
- b. To negotiate consent agreements between the agency and respondents resulting from such enforcement action;
- c. To sign consent agreements between the agency and respondents resulting from such enforcement action;
- d. To initiate an appeal from an administrative determination; and
- e. To represent the agency in such appeals.

2. TO WHOM REDELEGATED.

- a. The authority in paragraphs 1.a., 1.b., and 1.e. is redelegated to the regional counsel.
- b. The authority in paragraphs 1.b. through 1.d. is redelegated to the director of the Enforcement & Compliance Assurance Division.

3. LIMITATIONS.

- a. Regional personnel may exercise this authority only for those cases initiated by the region.
- b. The director of ECAD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraphs 1.c. and 1.d.

- c. The director of ECAD must consult with the assistant administrator for the Office of Enforcement & Compliance Assurance prior to initiating an appeal.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraph 1.d. may not be redelegated.
- b. The authority in paragraphs 1.a, 1.b., and 1.e. may be redelegated to the staff level.
- c. The authority in paragraph 1.c. may be redelegated to the level of branch chief and no further.
- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-8-12

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Preliminary Notification Reports by Persons Generating, Transporting, or Treating Hazardous Waste

1. **AUTHORITY.** To receive preliminary notification reports by persons generating, transporting, storing, treating, or disposing of hazardous waste pursuant to Section 3010 of SWDA, as amended.
2. **TO WHOM REDELEGATED.** Director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-8-13

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

State Hazardous Waste Grants and State Program Submittals

1. **AUTHORITY.** To approve grants for State hazardous waste programs and to approve annual State program submittals pursuant to Section 3011 of SWDA.
2. **TO WHOM REDELEGATED.** Director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Delegation R7-1-14, "Assistance Agreements."

Note: Per Memo, 12/4/1995, Director, Air, RCRA and Toxics Division to Acting Assistant Regional Administrator for Policy and Management, the following responsibilities for Award of Grants under this delegation are outlined as follows: On Programmatic Certification forms covering Section 3011, the Division Director has been delegated as the Award Official, the Decision Official is the Branch Chief, and the Recommending Official is the Project Officer.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-8-14

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT (SWDA)

State Underground Storage Tank Financial Assistance Program and State Program Submittals

1. **AUTHORITY.** To approve and execute financial assistance agreements for State underground storage tank release detection, prevention, and correction programs and approve annual State program submittals pursuant to Section 2007(f)(2) of SWDA.
2. **TO WHOM REDELEGATED.** Director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. Part 30, 40 C.F.R. Part 33, and 40 C.F.R. Part 35, Subpart A.
 - b. Delegation 1-14, "Assistance Agreements."
 - c. Catalog of Federal Domestic Assistance Programs (CFDA), Catalog number 66.804.
 - d. Delegation R7-1-14, "Assistance Agreements."
 - e. Memorandum from the Director of the Air, RCRA and Toxics Division to Acting Assistant Regional Administrator for Policy and Management (12/4/1995) (clarifying that on Programmatic Certification forms covering Section 2007(f)(2), the Division Director has been

delegated as the Award Official, the Decision Official is the Branch Chief, and the Recommending Official is the Project Officer).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-8-17

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Solid Waste Management Technical Training Assistance

1. **AUTHORITY.** To approve grants to any state or interstate agency, municipality, educational institution, or organization capable of effectively carrying out a training project (no profit makers) as defined in Section 7007(a) of the Solid Waste Disposal Act for solid waste management pursuant to Section 7007(b) of the SWDA, supplemented as appropriate, for international awards by Section 102(2)(F) of the National Environmental Policy Act.
2. **TO WHOM REDELEGATED.** Director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.**
 - a. Approval of grants or cooperative agreements funded with the research and development appropriation is limited to the assistant administrator for Research and Development, or his or her designee, and is further limited to multi-disciplinary training assistance initiated and funded by ORD.
 - b. The delegated authority for research and development is limited to activities directly contributing to the implementation of the mission of the office and consistent with congressionally approved budget requests.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Federal Grant and Cooperative Agreement Act of 1977;

- b. 40 C.F.R. Parts 30, 31, 32, 34, and 45;
- c. EPA's Assistance Administration Manual, including Chapter 7, Assistance to Project Activities Outside the United States, which requires OIA and State Department concurrence (Chapter 5700, Subpar. 1 (C) (2) and (3); and
- d. Delegation R7-1-14, "Solid Waste Disposal Act."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-8-18A

Issued: TN 89, 11/9/2000
Revised: TN R7-133, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT (SWDA)

Solid Waste Management Assistance

1. **AUTHORITY.** To approve grants or cooperative agreements for projects related to reducing dependence on land disposal of hazardous waste pursuant to Section 8001(a) of the Solid Waste Disposal Act.
2. **TO WHOM REDELEGATED.** Director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.** This authority applies only to the approval of grants and cooperative agreements awarded from funds available under the FY 1986 Appropriations Act to support increased RCRA permitting, utilization of alternatives to land disposal and innovative waste reduction techniques. Such grants and cooperative agreements are limited to the following types of activities:
 - a. Accelerate issuance of permits to new or expanding hazardous waste facilities which would provide alternatives to land disposal.
 - b. Fund development and implementation of other State or local efforts not directly permit related but focused on activities such as waste reduction, waste exchange, siting, use of alternative to land disposal, shared treatment, and assistance to small quantity generators, which will reduce dependence on land disposal.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Delegation R7-1-14, "Assistance Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-8-20

Issued: TN 58, 01/01/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Monitoring, Testing, Analysis, and Reporting

1. **AUTHORITY.** Pursuant to the SWDA, including Section 3013 of the SWDA, the authority to:
 - a. Make determinations that the presence of any hazardous waste at a facility or site at which hazardous waste is, or has been stored, treated or disposed of, or the release of any such waste from such facility or site may present a substantial hazard to human health or the environment;
 - b. Make determinations and findings regarding monitoring, testing, analysis and reporting;
 - c. Make determinations and findings that: the owner or operator of a facility or site not in operation when a determination that there may be a substantial hazard is made could not reasonably be expected to have actual knowledge of the presence of hazardous waste and its potential for release;
 - d. Issue orders to present and past owners and operators of facilities or sites requiring monitoring, testing, analysis and reporting; requiring proposals for carrying out required monitoring, testing, analysis and reporting; and requiring the carrying out of same in accordance with such proposals and such modifications as deemed reasonable by the Administrator;
 - e. Provide the owner or operator an opportunity to confer with EPA respecting a proposal for carrying out required monitoring, testing, analysis, or reporting;
 - f. Make determinations and findings that: no owner or operator is able to conduct monitoring, testing, analysis or reporting satisfactory to the Administrator; any such action carried out by an owner or operator is unsatisfactory; or, there is not an owner or operator referred to in Section 3013(a) or (b) of the SWDA who is able to conduct such monitoring, testing, analysis, and reporting;
 - g. Conduct monitoring, testing, or analysis (or any combination thereof) and authorize a State or local authority or other person to carry out such activity;

- h. Order reimbursement for the costs of such monitoring, testing, or analysis activity after making the determinations in 1.a., 1.b., 1.c., or 1.f., above; and
- i. Designate representatives of the Administrator to perform the functions to conduct monitoring, testing, or analysis (or any combination thereof) contained in 1.g.

2. TO WHOM REDELEGATED. These authorities are redelegated to the director of the Enforcement & Compliance Assurance Division and the director of the Land, Chemical & Redevelopment Division.

3. LIMITATIONS. The directors of ECAD and LCARD must consult with and obtain the concurrence of the regional counsel before exercising the authorities listed in 1.a. through 1.f. and 1.h.

4. REDELEGATION AUTHORITY.

- a. The authorities listed in 1.a. through 1.f., 1.h., and 1.i. may be redelegated to the level of branch chief and no further.
- b. The authority listed in 1.g. may be redelegated to the staff level.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Section 3013 of the SWDA.
- b. See also Section 3007 of the SWDA for additional information gathering authority.
- c. EPA Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-8-21

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Exposure Information and Health Assessments

1. AUTHORITY.

- a. To receive information on the potential for the public to be exposed to hazardous waste or hazardous constituents through releases related to landfills and surface impoundments from applicants seeking a final permit determination under Section 3005(c) of the SWDA and to make that information available to the Agency for Toxic Substances and Disease Registry.
- b. To determine that the landfill or surface impoundment posed a substantial potential risk to human health under Section 3019(b) of the SWDA and, upon making such determination, to seek health assessments from such agency pursuant to Section 3019 of the SWDA.

2. TO WHOM REDELEGATED. Director of the Land, Chemical & Redevelopment Division.

3. LIMITATIONS. Before seeking a health assessment from ATSDR pursuant to Section 3019 of the SWDA, the director of LCARD must obtain the concurrence of the assistant administrator of the Office of Land & Emergency Management.

4. REDELEGATION AUTHORITY.

- a. These authorities may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-8-22**

**Issued: TN R7-131, 1/17/2017
Revised: TN R7-133, 4/29/2019**

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Imminent and Substantial Endangerment

1. **AUTHORITY.** Pursuant to the Solid Waste Disposal Act, including Section 7003 of the SWDA, the authority to:
 - a. Make determinations that the handling, storage, treatment, transportation or disposal of any solid waste or hazardous waste may present an imminent and substantial endangerment to health or the environment;
 - b. After giving notice to the affected State, to take administrative action including, but not limited to, issuing unilateral orders or orders on consent as may be necessary to protect health and the environment; and
 - c. Give notice to appropriate local government agencies upon receipt of information that there is hazardous waste at any site which has presented an imminent and substantial endangerment to human health or the environment, and to require notice of the endangerment to be posted at the site where the waste is located.
2. **TO WHOM REDELEGATED.** These authorities are redelegated to the director of the Enforcement & Compliance Assurance Division and the director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.**
 - a. The authorities in paragraphs 1.a. and 1.b. shall be exercised subject to directives issues by the assistant administrator for the Office of Enforcement and Compliance Assurance.
 - b. Before exercising the authority to issue orders under 1.b., the directors of ECAD and LCARD must consult with the AA for OECA and obtain the concurrence of the regional counsel, or her or his designee, on the legal sufficiency of the action. The regional counsel may waive the requirement of concurrence in writing.

4. REDELEGATION AUTHORITY.

- a. These authorities may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-8-24**

**Issued: TN 1200 (R-38), 3/24/1997
Revised: TN R7-138, 3/2/2020**

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Inspections and Information Gathering (Subtitle I)

1. **AUTHORITY.** Pursuant to Subtitle I of the Solid Waste Disposal Act, as amended, including Section 9005 of the SWDA, the authority to:
 - a. Enter and inspect any establishment or other place where an underground storage tank (or any tank subject to study under Subtitle I that is used for storing regulated substances) is located; to inspect and have access to and copy all records relating to such tanks; to conduct monitoring and testing of such tanks, associated equipment, contents, or surrounding soils, air, surface water or ground water; and to inspect and obtain samples of any regulated substances contained in such tanks;
 - b. Issue an information request to the owner or operator of any establishment or other place where an underground storage tank (or any tank subject to study under Subtitle I that is used for storing regulated substances) is located to furnish information relating to such tanks, their associated equipment and contents and to conduct monitoring and testing;
 - c. Obtain and execute warrants for the purposes of performing inspections, information gathering, monitoring and testing;
 - d. Carry out any other inspection and information gathering activities authorized by Subtitle I of the SWDA;
 - e. Require the carrying out of any other inspection and information gathering activities authorized by Subtitle I of the SWDA; and
 - f. Designate representatives of the Administrator to perform the functions specified in paragraphs 1.a., 1.b., 1.d., and 1.e.

2. TO WHOM REDELEGATED.

- a. The authorities in 1.a., 1.b., 1.d., 1.e., and 1.f. are redelegated to the director of the Enforcement & Compliance Assurance Division and the director of the Land, Chemical & Redevelopment Division.
- b. The authority in 1.c. is redelegated to the regional counsel.

3. LIMITATIONS. None.

4. REDELEGATION AUTHORITY.

- a. The authorities in paragraphs 1.a. and 1.d. may be redelegated to the staff level.
- b. The authorities in paragraphs 1.b., 1.e., and 1.f. may be redelegated to the level of branch chief and no further.
- c. The authority in paragraphs 1.c. may not be redelegated.
- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Section 9005 of the SWDA.
- b. U.S. Environmental Protection Agency Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-8-25

Issued: TN 38, 5/12/1993
Revised: TN R7-138, 3/2/2020

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Administrative Enforcement (Subtitle I)

1. **AUTHORITY.** Pursuant to Subtitle I of the Solid Waste Disposal Act, as amended, the authority to:
 - a. Proffer field citations;
 - b. Take action under Section 9012 of the SWDA;
 - c. Issue notices to States;
 - d. Issue initial administrative order under Section 9003(h) of the SWDA;
 - e. Issue administrative complaints;
 - f. Sign consent agreements memorializing settlements between the agency and respondents prior to filing an administrative complaint; and
 - g. Take other enforcement action authorized under Subtitle I of the SWDA.
2. **TO WHOM REDELEGATED.** Director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.**
 - a. This authority does not include the authorities addressed in delegations R7-8-26 and R7-8-27.
 - b. These authorities may only be exercised prior to the deadline for filing an answer to an administrative complaint.
 - c. The director of ECAD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraphs 1.e. and 1.f.

- d. The director of ECAD must consult with the assistant administrator for the Office of Enforcement & Compliance Assurance, or her or his designee, prior to exercising the authority in paragraphs 1.b. through 1.g. at a Federal facility.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraph 1.a. may be redelegated to the staff level.
- b. The authority in paragraphs 1.b. and 1.f. may be redelegated to the level of branch chief and no further.
- c. The authority in paragraphs 1.c. through 1.e. and 1.g. may not be redelegated.
- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Delegation 8-9-A, “Administrative Enforcement: Issuance of Complaints, Signing of Consent Agreements, etc.”
- b. Delegation 8-32, “Administrative Enforcement - Corrective Action Authority: Issuance of Orders and Signing of Consent Agreements.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-8-26

Issued: TN 38, 5/12/1993
Revised: TN R7-138, 3/2/2020

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Administrative Enforcement: Agency Representation in Hearings and Signing of Consent Agreements (Subtitle I)

1. **AUTHORITY.** Pursuant to Subtitle I of the Solid Waste Disposal Act, as amended, the authority to:
 - a. Represent the agency in administrative enforcement actions;
 - b. Negotiate consent agreements between the agency and respondents resulting from such enforcement actions;
 - c. Sign consent agreements between the agency and respondents resulting from such enforcement actions;
 - d. Initiate an appeal from an administrative determination;
 - e. Represent the agency in such appeals pursuant to the SWDA; and
 - f. Assign appropriate personnel to perform the functions specified in paragraph 1.a.
2. **TO WHOM REDELEGATED.**
 - a. The authority in paragraphs 1.a., 1.b., 1.e., and 1.f. are redelegated to the regional counsel.
 - b. The authority in paragraphs 1.b., 1.c., and 1.d. are redelegated to the director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.**
 - a. The director of ECAD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraphs 1.c. and 1.d.

- b. The director of ECAD must consult with the assistant administrator for the Office of Enforcement & Compliance Assurance, or her or his designee, prior to initiating an appeal or determining that an appeal is unnecessary for an adverse decision.
- c. The regional counsel and the director of ECAD must consult with the AA for OECA, or her or his designee, prior to exercising the authority in paragraphs 1.a. through 1.e. at a Federal facility.
- d. The regional counsel and the director of ECAD may exercise these authorities only for those cases initiated by Region 7.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a., 1.b., and 1.e. may be redelegated to the staff level.
- b. The authority in paragraphs 1.c. and 1.f. may be redelegated to the level of branch chief and no further.
- c. The authority in paragraph 1.d. may not be redelegated.
- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Section 9006 of the SWDA.
- b. Section 9003(h) of the SWDA.
- c. Delegation 8-9-B, “Administrative Enforcement” Agency Representation in Hearings and Signing of Consent Agreements.”
- d. Delegation 8-35, “Waivers/Modifications/Exemptions for Surface Impoundment Retrofitting Requirement.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-8-27

Issued: TN 38, 5/12/1993
Revised: TN R7-133, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Administrative Enforcement: Issuance of Final Orders & Field Citations (Subtitle I)

- 1. AUTHORITY.** Pursuant to Subtitle I of the Solid Waste Disposal Act, as amended, the authority to:
 - a. To issue final orders (include consent orders) that assess penalties and/or require compliance that are the result of settlements between the agency and respondents through administrative enforcement actions under Subtitle I of the SWDA, as amended;
 - b. Approve field citations.
- 2. TO WHOM REDELEGATED.**
 - a. The authority in paragraph 1.a. is redelegated to the Regional Judicial Officer.
 - b. The authority in paragraph 1.b. is redelegated to the director of the Enforcement & Compliance Assurance Division.
- 3. LIMITATIONS.** This authority does not include the authorities addressed in Delegation 5-25.
- 4. REDELEGATION AUTHORITY.**
 - a. The authority in paragraph 1.b. may be redelegated to the level of branch chief and no further.
 - b. The authority in paragraph 1.a. may not be redelegated.
 - c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.**
 - a. Section 9006 of SWDA.
 - b. 40 C.F.R. Part 22.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-8-31

Issued: TN R7-27, 05/16/1988
Revised: TN R7-133, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Determination That There Is or Has Been a Release

1. **AUTHORITY.** Pursuant to the Solid Waste Disposal Act, including Section 3008(h) of the SWDA, to make determinations that there is or has been a release of hazardous waste into the environment at a facility authorized to operate under Section 3005(e) of the SWDA.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Enforcement & Compliance Assurance Division and the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 3008(h) of the SWDA.
 - b. See delegations titled:
 - i. “Administrative Enforcement—Corrective Action Authority: Issuance of Orders and Signing of Consent Agreements”;
 - ii. “Administrative Enforcement—Corrective Action: Agency Representation in Hearings and Signing of Consent Agreements”;

- iii. “Administrative Enforcement—Agency Representation in Hearings and Signing of Consent Agreements”;
- iv. “Civil Judicial Enforcement Actions”;
- v. “Criminal Enforcement Actions”;
- vi. “Settlement or Concurrence in Settlement of Civil Judicial Enforcement Actions”; and
- vii. “Emergency TROs.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-8-32**

**Issued: TN 18, 1/26/1986
Revised: TN R7-133, 4/29/2019**

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Administrative Enforcement – Corrective Action Authority: Issuance of Orders and Signing of Consent Agreements

- 1. AUTHORITY.** Pursuant to Subtitle C, Section 3008(h) of the Solid Waste Disposal Act, the authority to:
 - a. Issue orders requiring corrective action or other responses deemed necessary to protect human health or the environment; to issue orders which suspend or revoke authorization to operate under Section 3005(e) of SWDA;
 - b. Negotiate consent agreements memorializing settlements between the agency and respondents;
 - c. Sign consent agreements memorializing settlements between the agency and respondents; and
 - d. Represent the agency in administrative enforcement actions.
- 2. TO WHOM REDELEGATED.**
 - a. The authority in paragraphs 1.a., 1.b., and 1.c. is redelegated to the director of the Land, Chemical & Redevelopment Division.
 - b. The authority in paragraphs 1.b. and 1.d. is redelegated to the regional counsel.
- 3. LIMITATIONS.**
 - a. Unless waived by memorandum, the director of LCARD and the regional counsel must obtain the concurrence of the assistant administrator of the Office of Enforcement & Compliance Assurance, or her or his designee, prior to exercising any of the above authorities.
 - b. The director of LCARD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraphs 1.a. and 1.c.

- c. Regional personnel may only exercise these authorities for those cases initiated by the region.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a. and 1.c. may be redelegated to the level of branch chief and no further.
- b. The authority in paragraphs 1.b. and 1.d. may be redelegated to the staff level and no further.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. Delegation 8-21, "Determination That There Is or Has Been a Release."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-8-33

Issued: TN R7-133, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Selection and Performance of Federal Corrective Actions at Leaking Underground Storage Tanks

1. **AUTHORITY.** Pursuant to Subtitle I of the Solid Waste Disposal Act, as amended, the authority to:
 - a. Determine the necessity of and to select Federal corrective actions at leaking underground storage tanks containing petroleum and/or oxygenated fuel additives; and
 - b. Enter property, and to perform such corrective actions using Leaking Underground Storage Tank (LUST) Trust Fund funds.
2. **TO WHOM REDELEGATED.** Director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.**
 - a. The director of LCARD must obtain the concurrence of the director of the Office of Underground Storage Tanks, or her or his designee, prior to exercising this authority for any obligations up to \$250,000 or for any amendment that does not bring the total obligation above \$250,000.
 - b. The director of LCARD must obtain the concurrence of the assistant administrator of the Office of Land & Emergency Management, or her or his designee, prior to exercising this authority for any obligations above \$250,000 or for any amendment that brings the total obligation above \$250,000.
 - c. The director of LCARD may exercise this authority and must comply with Federal lead UST corrective action guidance issued by the AA for OLEM, or her or his designee, for emergency situations with obligations not exceeding \$50,000.
4. **REDELEGATION AUTHORITY.**
 - a. The authority in paragraph 1.b. may be redelegated to the staff level and no further.

- b. The authority in paragraph 1.a. may not be redelegated.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Superfund Removal directives.
- b. OLEM Dir. No. 9610.9A and subsequent amendments.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-8-35

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT (SWDA)

Waivers/Modifications/Exemptions for Surface Impoundment Retrofitting Requirements

1. **AUTHORITY.** Pursuant to the Solid Waste Disposal Act, as amended, the authority to perform all actions necessary to review, approve, or disapprove requests for waivers, modifications, and exemptions under Section 3005(j)(5) and (13) of the SWDA concerning retrofitting requirements for interim status surface impoundments.
2. **TO WHOM REDELEGATED.** Director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 40 U.S.C. § 6925(j)(5) and (13).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-8-37

Issued: TN 52, 1/28/1992
Revised: TN R7-133, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Requiring Corrective Action for Releases of Petroleum from Underground Storage Tanks (Subtitle I)

1. **AUTHORITY.** To take all necessary actions under Subtitle I of the Solid Waste Disposal Act, as amended, to require the owner or operator of a petroleum underground storage tank to undertake corrective action.
2. **TO WHOM REDELEGATED.** Director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.**
 - a. The director of LCARD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.
 - b. The director of LCARD must notify the assistant administrator for the Office of Enforcement & Compliance Assurance before exercising this authority.
 - c. The director of LCARD, the AA for OECA, or the assistant administrator for the Office of Land & Emergency Management must notify the director of the state agency designated by the governor to implement the UST Program upon exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Delegation 8-26, “Administrative Enforcement.”
- b. Delegation 8-33, “Selection and Performance of Federal Corrective Actions and Leaking Underground Storage Tanks.”
- c. Sections 9003(h) and 9006(a) of RCRA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-8-38

Issued: TN 55, 1/29/1994
Revised: TN R7-133, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT (SWDA)

Grants and Cooperative Agreements (Subtitle I)

1. **AUTHORITY.** To take all necessary actions to approve grants and/or cooperative agreements with States under Subtitle I of the Solid Waste Disposal Act, as amended, Public Law 105-276, and annual appropriations acts.
2. **TO WHOM REDELEGATED.** Director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.**
 - a. The director of LCARD must follow grant guidelines issued by the assistant administrator for the Office of Land and Emergency Management or the director of the Office of Underground Storage Tanks when exercising this authority.
 - b. The director of LCARD must consult with the director of the Office of Underground Storage Tanks, or her or his designee, in accordance with Office of Underground Storage Tanks policy.
 - c. The director of LCARD must consult with the regional counsel or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 9003(h)(7) of the SWDA.

- b. Delegation 1-14, "Assistance Agreements."
- c. Delegation 8-14, "State Underground Storage Tank Financial Assistance Program and State Program Submittals."

NOTE: Per Memo, 12/4/1995, Director, Air, RCRA and Toxics Division to Acting Assistant Regional Administrator for Policy and Management, the following responsibilities for Award of Grants under this delegation is outlined as follows:

"Cooperative Agreements (Subtitle I)", Solid Waste Disposal Act (SWDA), Section 9003(h)(7), the Division Director has been delegated as the Award Official, the Decision Official is the Branch Chief, and the Recommending Official is the Project Officer.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-8-42

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Solid Waste Management Plans Assistance

1. **AUTHORITY.** To approve grants and cooperative agreements for projects related to solid waste management (including municipal solid waste, industrial waste, medical waste, commercial solid waste and any other non-hazardous waste). These funds can be awarded to the following types of non-profit entities: public agencies and institutions; and private agencies, institutions and individuals. These projects can include the following activities, as authorized under Section 8001(a) of the Solid Waste Disposal Act: research, investigations, experiments, training, surveys, demonstrations, public education programs, and studies relating to:
 - a. Any adverse health and welfare effects of the release into the environment of material present in solid waste, and methods to eliminate such effects;
 - b. The operation and financing of solid waste management programs;
 - c. The planning, implementation, and operation of resource recovery and resource conservation systems and hazardous waste management systems, including the marketing of recovered resources;
 - d. The production of usable forms of recovered resources, including fuel, from solid waste;
 - e. The reduction of the amount of such waste and unsalvageable waste materials;
 - f. The development and application of new and improved methods of collecting and disposing of solid waste and processing and recovering materials and energy from solid wastes;
 - g. The identification of solid waste components and potential materials and energy recoverable from such waste components;

- h. Small scale and low technology solid waste management systems, including but not limited to, resource recovery separation systems;
- i. Methods to improve the performance characteristics of resources recovered from solid waste and the relationship of such performance characteristics to available and potentially available markets for such resources;
- j. Improvements in land disposal practices for solid waste (including sludge) which may reduce the adverse environmental effects of such disposal and other aspects of solid waste disposal on land, including means for reducing the harmful environmental effects of earlier and existing landfills, means for restoring areas damaged by earlier or existing landfills, means for rendering landfills safe for purposes of construction and other uses, and techniques of recovering materials and energy from landfills;
- k. Methods for the sound disposal of, or recovery of resources, including energy from sludge (including sludge from pollution control and treatment facilities, coal slurry pipelines, and other sources);
- l. Methods of hazardous waste management, including methods of rendering such waste environmentally safe; and
- m. Any adverse effects on air quality (particularly in regard to the emission of heavy metals) which result from solid waste which is burned (either alone or in conjunction with other substances) for purposes of treatment, disposal or energy recovery.

2. TO WHOM REDELEGATED. Director of the Land, Chemical & Redevelopment Division.

3. LIMITATIONS. None.

4. REDELEGATION AUTHORITY.

- a. This authority may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. 2 C.F.R. Part 200.
- b. 2 C.F.R. Part 1500.
- c. 40 C.F.R. Part 33.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-8-50

Issued: TN 62, 09/19/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Department of Energy Mixed Waste Treatment Plans

1. **AUTHORITY.** Pursuant to the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act, and further amended by the Federal Facility Compliance Act of 1992, the authority to review and approve, modify, or disapprove Department of Energy Mixed Waste Treatment Plans and to consult with the state(s) affected by the plans.
2. **TO WHOM REDELEGATED.** Director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.** The director of LCARD must consult with the assistant administrator for the Office of Enforcement & Compliance Assurance, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** RCRA § 3021(b)(2)(B).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-8-500

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Extension of Accumulation Time

1. **AUTHORITY.** To grant an extension of the onsite accumulation time allowed to large quantity generators of hazardous waste without a permit by up to 30 days, as provided for by 40 C.F.R. § 262.17(b) pursuant to Section 3002 of RCRA.
2. **TO WHOM REDELEGATED.** Director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.** The director of ECAD must consult with the director of the Land, Chemical & Redevelopment Division, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Delegation 8-12, "Preliminary Notification Reports by Persons Generating, Transporting, or Treating Hazardous Waste."
 - b. "Hazardous Waste Generator Improvements Rule," 81 Fed. Reg. 85732, 85739 (Nov. 28, 2016).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-9-1

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Certification of Potable Water Supplies

1. **AUTHORITY.** To make certification with respect to potable water supplies that meet the Drinking Water Standards, pursuant to Section 361 of the Public Health Service Act, as amended by the Safe Drinking Water Act.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 42 C.F.R. Part 72.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-9-3

Issued: TN 63, 9/29/1995
Revised: TN R7-134, 7/2/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Certification of Laboratories and Responsible State Officials

1. **AUTHORITY.** To certify laboratories conducting analytical measurements of drinking water contaminants and to certify the state officials responsible for the state's certification program in accordance with Sections 1401(1)(D) and 1413 of the Safe Drinking Water Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Laboratory Services & Applied Sciences Division.
3. **LIMITATIONS.** The Administrator reserves the authority to prescribe the requirements for a national quality assurance program for certification of laboratories conducting analytical measurements of drinking water contaminants.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Delegation 9-3, "Certification of Laboratories and Responsible State Officials."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-9-6

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Reports by States

1. **AUTHORITY.** To receive reports by States with primary enforcement responsibility pursuant to 40 C.F.R. Part 142.15 in accordance with Section 1413 of the Safe Drinking Water Act.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** The director of WD must forward copies of such reports to the assistant administrator for the Office of Water.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Reports by States.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-9-7A**

**Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019**

CHAPTER 9

SAFE DRINKING WATER ACT

Part B, Public Water Systems: Findings of Noncompliance, Notification, and Technical Assistance

- 1. AUTHORITY.** To perform the following functions relating to enforcement and technical assistance pursuant to the Safe Drinking Water Act, Part B:
 - a. Pursuant to Section 1414(a)(1)(A) of the SDWA, finding that a public water system does not comply with any applicable requirements (as defined in Section 1414(i) of the SDWA) during a period in which a State has primary enforcement responsibility; notifying the primacy State and the public water system of such a finding and providing advice and technical assistance to the primacy State and public water system as may be appropriate to bring the system into compliance;
 - b. Pursuant to Section 1414(a)(2) of the SDWA, finding that a public water system does not comply with any applicable requirements during a period in which a State does not have primary enforcement responsibility, and notifying an appropriate local elected official, if any, with jurisdiction over the public water system prior to taking enforcement action in the non-primacy State;
 - c. Pursuant to Section 1414(d) of the SDWA, finding that a public water system in a state does not comply with national secondary drinking water regulations within a reasonable time after such secondary regulations have been promulgated, and that such noncompliance with secondary drinking water regulations appears to result from a State's failure to take reasonable action to assure that public water systems throughout the State meet such secondary regulations; and notifying the State of such noncompliance; and
 - d. Pursuant to Section 1414(f) of the SDWA, providing appropriate notice of and holding public hearings for the purpose of gathering information; issuing recommendations to a primacy State and public water system on the basis of such hearings; and making such recommendations available to the public and communications media.

2. TO WHOM REDELEGATED.

- a. These authorities are redelegated to the director of the Enforcement & Compliance Assurance Division.
- b. The authority in paragraph 1.b. is redelegated to the director of the Water Division.

3. LIMITATIONS.

- a. The director of ECAD must consult with the regional counsel and the director of WD, or their designees, prior to exercising these authorities.
- b. The director of WD must consult with the regional counsel and the director of ECAD, or their designees, prior to exercising the authority in paragraph 1.b.

4. REDELEGATION AUTHORITY.

- a. With the exception of finding that a public water system is in non-compliance, which may not be redelegated, the authority to provide advice and technical assistance to the primacy State and public water system in paragraph 1.a. may be redelegated to the level of branch chief and no further.
- b. The authority in paragraphs 1.b. and 1.c. may not be redelegated.
- c. The authority in 1.d. may be redelegated to the level of branch chief and no further.
- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. 40 C.F.R. Parts 141 and 142.
- b. Guidance on PWS Administrative Order Procedures



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-9-7B**

**Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019**

CHAPTER 9

SAFE DRINKING WATER ACT

Part C, Underground Injection Control: Findings of Violation and Notification

1. **AUTHORITY.** To perform the following functions relating to enforcement pursuant to the Safe Drinking Water Act, Part C, Underground Injection Control Program:
 - a. Pursuant to Section 1423(a)(1) of the SDWA, finding that a person is violating a requirement of an applicable underground injection control program during a period in which a State has primary enforcement responsibility for underground water sources, and notifying the primacy State and persons violating an underground injection control program requirement of such a finding; and
 - b. Pursuant to Section 1423(a)(2) of the SDWA, finding that a person is violating a requirement of an applicable underground injection control program during a period in which a State does not have primary enforcement responsibility for underground water sources.
2. **TO WHOM REDELEGATED.**
 - a. These authorities are redelegated to the director of the Enforcement & Compliance Assurance Division.
 - b. The authority in paragraph 1.b. is redelegated to the director of the Water Division.
3. **LIMITATIONS.**
 - a. The director of ECAD must consult with the regional counsel and the director of the Water Division, or their designees, prior to exercising these authorities.
 - b. The director of WD must consult with the regional counsel the director of ECAD, or their designees, prior to exercising the authority in paragraph 1.b.

- c. The assistant administrator for the Office of Enforcement and Compliance Assurance may exercise these authorities in multi-regional cases and cases of national significance.

4. REDELEGATION AUTHORITY.

- a. These authorities may be redelegated to the level of branch chief and no further.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. See delegations:
 - i. 9-16-A, “Civil Judicial Enforcement Actions”;
 - ii. 9-17, “Emergency Administrative Powers”; and
 - iii. 9-34, “Administrative Penalties and Compliance Orders With Administrative Penalties—Underground Injection.”
- b. EPA Guidance on UIC Administrative Order Procedures.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-9-10

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Making Available Information and Agency Facilities and Providing Training Assistance

- 1. AUTHORITY.** Perform the EPA functions and responsibilities relative to collecting and making available information; making available Agency facilities; and approving assistance agreements for training projects and for the development and expansion of programs of States and municipalities in accordance with Sections (a)(2) and (c) of the Safe Drinking Water Act.
- 2. TO WHOM REDELEGATED.** Director of the Water Division.
- 3. LIMITATIONS.**
 - a. The authority delegated does not include research within the purview of the Office of Research & Development.
 - b. The authority delegated does not include Section 1442(c)(2) of the SDWA.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.** Delegation R7-1-14, "Assistance Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-9-11**

**Issued: 63, 9/29/1995
Revised: TN R7-133, 4/29/2019**

CHAPTER 9

SAFE DRINKING WATER ACT

To Issue Public Water System Supervision Grants

- 1. AUTHORITY.** To approve grants to States to carry out public water system supervision programs under Section 1442(a) of the Safe Drinking Water Act.
- 2. TO WHOM REDELEGATED.** Director of the Water Division.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. Part 30.
 - b. 40 C.F.R. Part 35, Subpart A.
 - c. 40 C.F.R. Part 142.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-9-12**

**Issued: TN 63, 9/29/1995
Revised: TN R7-138, 3/2/2020**

CHAPTER 9

SAFE DRINKING WATER ACT

Inspections and Information Gathering

1. **AUTHORITY.** Pursuant to the Safe Drinking Water Act, including Section 1445 of the SDWA, and implementing regulations, the authority to:
 - a. Perform the duties and responsibilities relative to reviewing records and conducting inspections;
 - b. Obtain and execute warrants for the purpose of performing an inspection or conducting information gathering;
 - c. Carry out any other inspection and information gathering activities authorized by the SDWA;
 - d. Require the carrying out of any other inspection and information gathering activities authorized by the SDWA; and
 - e. Designate representatives of the Administrator to perform the functions specified in paragraphs 1.a. and 1.c.
2. **TO WHOM REDELEGATED.**
 - a. The authority in paragraphs 1.a., 1.c., 1.d., and 1.e. are redelegated to the directors of the Enforcement & Compliance Assurance Division and Water Division.
 - b. The authority listed in 1.b. is redelegated to the regional counsel.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. The authority in paragraphs 1.a. and 1.c. may be redelegated to the staff level and no further.

- b. The authority in paragraphs 1.d. and 1.e. may be redelegated to the level of branch chief and no further.
- c. The authority in paragraph 1.b. may not be redelegated.
- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Section 1445 of the SDWA.
- b. U.S. Environmental Protection Agency Order 3510, “EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities.”
- c. 40 C.F.R. Parts 144, 146 and 147.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-9-14

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Monitoring of consecutive Public Water Systems

1. **AUTHORITY.** To perform the duties and responsibilities relative to the review of and granting concurrence to any schedules set by a State in connection with modification of the monitoring requirements relating to consecutive public water systems.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-9-16A**

Issued: TN R7-131, 1/17/2017

CHAPTER 9

SAFE DRINKING WATER ACT

Civil Judicial Enforcement Actions, Including Collection Actions

- 1. AUTHORITY.** To appear and represent the agency in any Safe Drinking Water Act civil enforcement action where the Attorney General has refused or failed to appear and represent the agency, exclusive of appeals.
- 2. TO WHOM REDELEGATED.** This authority is redelegated to the regional counsel.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to staff attorneys within the Office of Regional Counsel.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.**
 - a. Memorandum of Understanding between the U.S. Environmental Protection Agency and the Department of Justice, June 1977, 42 Fed. Reg. 48942 (1977).
 - b. Direct referral agreement memorialized in letter of September 29, 1983, from Alvin L. Alm, Deputy Administrator, to F. Henry Habicht, Assistant Attorney General, regarding direct referrals; Sections 1414, 1423, 1431 and 1450(f) of SDWA.
 - c. For referrals of requests for emergency SDWA Temporary Restraining Orders, see delegation R7-9-16D, "Emergency TROs."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-9-16D**

**Issued: TN R7-131, 1/17/2017
Revised: TN R7-133, 4/29/2019**

CHAPTER 9

SAFE DRINKING WATER ACT

Emergency TROs

1. **AUTHORITY.** Pursuant to the Safe Drinking Water Act, including Sections 1431 and 1450(f) of the SDWA, the authority to refer requests for emergency Temporary Restraining Orders under the SDWA to the Department of Justice and to the appropriate United States Attorney.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Water Division.
3. **LIMITATIONS.**
 - a. The director of WD must notify the assistant administrator for the Office of Enforcement & Compliance Assurance prior to exercising this authority. The AA for OECA may waive the requirement of notification in writing.
 - b. The director of WD must obtain the concurrence of the regional counsel, or her or his designee, on the legal sufficiency of the referral prior to exercising this authority. The regional counsel may waive the requirement of concurrence in writing.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Memorandum of Understanding between the Agency and the Department of Justice, June 1977, 42 Fed. Reg. 48,942 (1977).
 - b. For referral of other civil actions under SDWA, see redelegation R7-9-16A.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-9-17

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Imminent and Substantial Endangerment

1. **AUTHORITY.** Pursuant to Section 1431 of the Safe Drinking Water Act, to make findings; take action; determine the practicality of consultation, consult with States and local authorities; and take other action including, but not limited to, issuing administrative orders.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Water Division.
3. **LIMITATIONS.**
 - a. The director of WD must consult with the assistant administrator for the Office of Enforcement & Compliance Assurance prior to exercising the authority to issue orders. The AA for OECA may waive the requirement of consultation in writing.
 - b. The director of WD must obtain the concurrence of the regional counsel, or her or his designee, on the legal sufficiency of the action prior to exercising the authority to issue orders. The regional counsel may waive the requirement of concurrence in writing.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-9-19

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Revision or Modification of State Underground Injection Control (UIC) Program

1. **AUTHORITY.** To approve a revised or modified State program when circumstances have changed with respect to a State program as required under Section 1422 of the Safe Drinking Water Act.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.**
 - a. This delegation does not include substantial program revisions such as changes to the State's statutory or regulatory authority that call into question the State's authority or ability to administer the program, transfer of program from one State agency to another, and program changes that would result in State requirements less stringent than Federal requirements.
 - b. The director of WD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 1422 of the SDWA.
 - b. 40 C.F.R. § 145.32.
 - c. Program Guidance for EPA Reviews and Approval of Approved State UIC Program.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-9-21**

**Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019**

CHAPTER 9

SAFE DRINKING WATER ACT

Approval of State Underground Injection Control (UIC) Program Grant Funds

- 1. AUTHORITY.** To approve each year, among the eligible States, grant funds appropriated to carry out UIC programs in accordance with Section 1443(b) of the Safe Drinking Water Act.
- 2. TO WHOM REDELEGATED.** Director of the Water Division.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.**
 - a. Section 1443(b) of the SDWA.
 - b. 40 C.F.R. § 35.141.
 - c. Delegation R7-1-14, "Assistance Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-9-22

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Authority to Issue Underground Injection Control (UIC) Program

1. **AUTHORITY.** To issue UIC permits for EPA-administered UIC programs under Section 1421 of the Safe Drinking Water Act.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** The director of WD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Sections 1421 and 1422 of the SDWA.
 - b. 40 C.F.R. §§ 144.25, 144.51, and 144.52.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-9-23

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Authority to Issue Area Permits and Emergency Permits

1. **AUTHORITY.** To issue a permit on an area basis or a temporary emergency permit under EPA-administered Underground Injection Control programs.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** The director of WD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. § 144.33.
 - b. 40 C.F.R. § 144.34.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-9-24

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Authority to Deny, Transfer, Modify, Revoke, Reissue and Terminate Permits

1. **AUTHORITY.** To deny, transfer, modify, revoke, reissue and terminate permits under EPA-administered Underground Injection Control programs.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** The director of WD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 40 C.F.R. §§ 124.5, 144.38, 144.39, and 144.40.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-9-26

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Approval of Additional Aquifer Exemptions

1. **AUTHORITY.** To approve certain additional aquifer exemptions requested by the State Director after EPA approval of the State Underground Injection Control (UIC) program in accordance with 40 C.F.R. § 144.7.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.**
 - a. This delegation does not include authority to exempt any aquifer containing water less than 3,000 mg/l TDS relating to Class 1 injection or not relating to a specific permitting action except for enhanced recovery operations authorized by rule.
 - b. The director of WD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. § 144.7.
 - b. "Guidelines on Technical Criteria for Reviewing Aquifer Exemption Requests," included in GWPB Guidance #34.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-9-27

Issued: 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Information to be Considered in Authorizing Injection Wells

1. **AUTHORITY.** In cases where EPA issues the injection well permit for existing or converted Class I, II, and III wells, to consider certain information specified in 40 C.F.R. §§ 146.14, 146.24 and 146.34.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 40 C.F.R. §§ 146.14, 146.24 and 146.34.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-9-28

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Noncompliance with Conditions of an Expiring or Expired Permit

1. **AUTHORITY.** To take appropriate and necessary action when permittee is not in compliance with the conditions of an expiring or expired permit in accordance with 40 C.F.R. § 144.37(c).
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** The director of WD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 1423 of the Safe Drinking Water Act.
 - b. 40 C.F.R. § 144.37(c).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-9-29**

**Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019**

CHAPTER 9

SAFE DRINKING WATER ACT

Authority to Approve Alternatives to the Use of Tubing and Packer for Class I Well Construction

- 1. AUTHORITY.** To approve the use of alternatives to the use of tubing and packer in the construction of Class I injection wells.
- 2. TO WHOM REDELEGATED.** Director of the Water Division.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-9-30**

**Issued: TN 63, 09/29/1995
Revised: TN R7-133, 4/29/2019**

CHAPTER 9

SAFE DRINKING WATER ACT

Approval of Injection Well Plugging and Abandonment Plan and Prescribing Aquifer Cleanup and Monitoring

- 1. AUTHORITY.** To approve injection well plugging and abandonment plans and to prescribe aquifer cleanup and monitoring requirements under EPA-administered programs.
- 2. TO WHOM REDELEGATED.** Director of the Water Division.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.** 40 C.F.R. §§ 144.52(a)(6) and 146.10.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-9-32**

**Issued: TN 28, 2/22/1988
Revised: TN R7-133, 4/29/2019**

CHAPTER 9

SAFE DRINKING WATER ACT

Administrative Enforcement Authority Under Part B: Proposed and Final Orders and Agency Representation in Hearings

1. AUTHORITY. Pursuant to the Safe Drinking Water Act, Part B, the authority to:

- a. Issue proposed orders requiring compliance;
- b. Provide the primacy State an opportunity to converse;
- c. Conduct a public hearing;
- d. Represent the agency in a public hearing;
- e. Amend or withdraw proposed orders requiring compliance; and,
- f. Issue final orders requiring compliance.

2. TO WHOM REDELEGATED.

- a. The authority in paragraphs 1.a., 1.b., 1.e., and 1.f. are redelegated to the director of the Enforcement & Compliance Assurance Division.
- b. The authority in paragraph 1.c. is redelegated to the Regional Judicial Officer.
- c. The authority in paragraph 1.d. is redelegated to the regional counsel.

3. LIMITATIONS.

- a. The director of ECAD may only exercise these authorities for cases initiated by Region 7.
- b. The director of ECAD must obtain the concurrence of the regional counsel before exercising the authority in paragraphs 1.a., 1.b., 1.e., and 1.f.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraph 1.d. may be redelegated to staff attorneys within the Office of Regional Counsel.
- b. The authority in paragraphs 1.a. through 1.c., 1.e., and 1.f. may not be redelegated.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Delegation 9-16-C, “Civil Judicial Enforcement Actions.”
- b. Delegation 9-17, “Emergency Administrative Powers.”
- c. Section 1414(a)(1)(A) and (B), (f), (g)(1) and (g)(2) of the SDWA.
- d. Section 1445 of the SDWA.
- e. Guidance on Headquarters Involvement in the Issuances by Regions of the First Proposed and Final Administrative Orders.
- f. Guidance on PWS Administrative Order Procedures.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-9-33A**

**Issued: TN 63, 9/29/1995
Revised: TN R7-138, 3/2/2020**

CHAPTER 9

SAFE DRINKING WATER ACT

Administrative Penalty Under Part B: Penalty Assessments, Issuing Complaints, and Negotiating and Signing Consent Agreements

- 1. AUTHORITY.** Pursuant to the Safe Drinking Water Act, the authority to:
 - a. Assess a penalty against any person in violation of any administrative order issued under Part B of the SDWA;
 - b. Issue, amend or withdraw complaints;
 - c. Negotiate consent agreements between the agency and respondents; and
 - d. Sign consent agreements negotiated between the agency and respondents.
- 2. TO WHOM REDELEGATED.**
 - a. These authorities are redelegated to the director of the Enforcement & Compliance Assurance Division.
 - b. The authority in paragraph 1.c. is redelegated to the regional counsel.
- 3. LIMITATIONS.**
 - a. These authorities may only be exercised prior to the alleged violator's filing an answer or failure to file a timely answer to a complaint.
 - b. The director of ECAD may exercise the above authorities only for those cases initiated by Region 7.
 - c. The director of ECAD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraphs 1.a., 1.b., and 1.d.

- d. The agency official authorized to sign the complaint should sign the consent agreement.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraph 1.c. may be redelegated to the staff level.
- b. The authority in paragraph 1.d. may be redelegated to the level of branch chief and no further.
- c. The authority in paragraphs 1.a. and 1.b. may not be redelegated.
- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Section 1414(g)(1) and (3) of the SDWA.
- b. Section 1445 of the SDWA.
- c. 40 C.F.R. Part 22.
- d. Guidance on Procedures for Assessing Civil Penalties in an Administrative Order pursuant to Section 1414(g)(3)(B) of the SDWA.
- e. Guidance on Headquarters Involvement in the Issuances by Regions of the First Proposed and Final Administrative Orders.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-9-33B**

**Issued: TN 28, 2/22/1988
Revised: TN R7-133, 4/29/2019**

CHAPTER 9

SAFE DRINKING WATER ACT

Administrative Penalty Under Part B: Agency Representation in the Hearings, Negotiating Consent Agreements

1. AUTHORITY.

- a. To represent EPA in civil penalty adjudications conducted under the penalty section of Part B of the Safe Drinking Water Act;
- b. To negotiate consent agreements between the agency and respondents resulting from such enforcement actions; and
- c. To represent the agency in such appeals.

2. TO WHOM REDELEGATED.

- a. The authorities are redelegated to the regional counsel.
- b. The authority in paragraph 1.b. is redelegated to the director of the Enforcement & Compliance Assurance Division.

3. LIMITATIONS.

- a. These authorities may only be exercised after the alleged violator either files an answer or fails to file a timely answer.
- b. Regional personnel may exercise the above authority only for those cases which were initiated by Region 7.

4. REDELEGATION AUTHORITY.

- a. These authorities may be redelegated to the staff level and no further.

- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Section 1414(g)(1) and (3) of the SDWA.
- b. Section 1445 of the SDWA.
- c. Guidance on Headquarters Involvement in the Issuances by Regions of the First Proposed and Final Administrative Orders.
- d. Guidance on Procedures for Assessing Civil Penalties in an Administrative Order Pursuant to Section 1414(g)(3)(B) of the SDWA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-9-34

Issued: TN 63, 9/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Administrative Enforcement Authority Under Part C

1. **AUTHORITY.** Pursuant to Section 1423(c) of the Safe Drinking Water Act, the authority to:
 - a. Issue, withdraw or amend proposed administrative orders for compliance or penalties, or both; and,
 - b. Issue, withdraw, or amend final orders if no hearing is requested.
2. **TO WHOM REDELEGATED.** Director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.**
 - a. These authorities may be exercised by the director of ECAD for those cases initiated by Region 7.
 - b. The director of ECAD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. See Chapter 9, HQ Delegations Manual, entitled:
 - i. “Civil Judicial Enforcement Actions”;

- ii. “Emergency Administrative Powers”; and
 - iii. “Issuance of Administrative Orders under Section 1423(c).”
- b. Section 1423(a) and (c) of the SDWA.
 - c. Guidance on Headquarters Involvement in the Issuances by Regions of the First Proposed and Final Administrative Orders.
 - d. Guidance on Underground Injection Control (UIC) Administrative Order Procedures.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-9-35

Issued: TN 28, 2/22/1988
Revised: TN R7-138, 3/2/2020

CHAPTER 9

SAFE DRINKING WATER ACT

Issuance of Administrative Orders Under Section 1423(c)

1. **AUTHORITY.** Pursuant to Section 1423(c) of the Safe Drinking Water Act, the authority to:
 - a. Conduct hearings and perform related duties following issuance of proposed administrative orders;
 - b. Represent the agency at hearings;
 - c. Issue subpoenas;
 - d. Negotiate consent agreements between the agency and respondents; and
 - e. Sign consent agreements between the agency and respondents.
2. **TO WHOM REDELEGATED.**
 - a. The authority in paragraphs 1.a. and 1.c. are redelegated to the Regional Judicial Officer.
 - b. The authority in paragraphs 1.b. and 1.d. are redelegated to the regional counsel.
 - c. The authority in paragraphs 1.d. and 1.e. are redelegated to the director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.**
 - a. Regional personnel may exercise the above authority only for those cases initiated by Region 7.
 - b. The authority paragraph 1.a. may only be exercised by an official identified as the Presiding Officer under the Underground Injection Control (UIC) program.

- c. The RJO must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraph 1.c.
- d. The director of ECAD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraph 1.e.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a. and 1.c. may not be redelegated.
- b. The authority in paragraphs 1.b. and 1.d. may be redelegated to the staff level.
- c. The authority in paragraph 1.e. may be redelegated to the level of branch chief and no further.
- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Memorandum, Redelegation from General Counsel, Issuance of Administrative Orders Under Section 1423(c) of the Safe Drinking Water Act.
- b. Guidance on Headquarters Involvement in the Issuances by Regions of the First Proposed and Final Administrative Orders.
- c. Section 1423(c)(3)(A) and (B) of the SDWA.
- d. Section 1423(c)(7) and (8) of the SDWA.
- e. 40 C.F.R. Parts 144, 146, and 147.
- f. Guidance on Underground Injection Control (UIC) Administrative Order Procedures.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-9-47

Issued: TN R7-133, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Administrative Penalty Actions Not to Exceed \$5,000

- 1. AUTHORITY.** Pursuant to Section 1414(g)(3)(B) of the Safe Drinking Water Act, the authority to:
 - a. Assess an administrative penalty;
 - b. File a complaint under Section 1414(g)(3)(B) of the SDWA;
 - c. Conduct proceedings, recommend the form of final agency action, issue subpoenas and perform all the presiding-officer functions as set forth in applicable agency guidance or regulations governing the administration of administrative penalty actions under the SDWA;
 - d. Represent the complainant before a presiding officer in an administrative penalty proceeding under the SDWA;
 - e. Issue an order on consent between the agency and a respondent in an administrative penalty action under the SDWA;
 - f. Act as deciding official in a contested or default administrative penalty action and assess a penalty in such a proceeding; and
 - g. Review sua sponte any exercise of the authority described in 1.e. in a contested or a defaulted action.
- 2. TO WHOM REDELEGATED.**
 - a. The authority in paragraphs 1.a. and 1.b. are redelegated to the director of the Enforcement & Compliance Assurance Division.
 - b. The authority in paragraphs 1.c., 1.e., and 1.f. are redelegated to the Regional Judicial Officer.
 - c. The authority in paragraph 1.d. is redelegated to the regional counsel.

3. LIMITATIONS.

- a. The director of ECAD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraphs 1.a. and 1.b.
- b. The RJO may only exercise the authority in paragraph 1.f. in cases initiated by the director of ECAD and if the RJO provides the Environmental Appeals Board with a timely copy of the decision in a contested or default action so that there is an opportunity for a sua sponte review.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a. through 1.c., 1.e., and 1.f. may not be redelegated.
- b. The authority in paragraph 1.d. may be redelegated to the staff level and no further.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Section 1414(g)(3)(B) of the SDWA, 42 U.S.C. Section 300g-3, as amended by the 1996 Safe Drinking Water Act amendments.
- b. Agency guidance or regulations governing administrative penalty actions under the SDWA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-7-58

Issued: TN R7-133, 4/29/2019

CHAPTER 7

SAFE DRINKING WATER ACT

Program Approval for State Source Water Assessment Programs under Section 1453 and Source Water Quality Protection Partnership Petition Programs under Section 1454

1. AUTHORITY.

- a. To approve state Source Water Assessment Programs, as authorized by Section 1453 of the Safe Drinking Water Act, as amended.
- b. To approve state Source Water Quality Protection Partnership Petition Programs, as authorized by Section 1454 of the Safe Drinking Water Act, as amended.

2. TO WHOM REDELEGATED. These authorities are redelegated to the director of the Water Division.

3. LIMITATIONS.

- a. The authority to approve the initial Source Water Assessment Program and or Source Water Quality Protection Partnership Petition Program in each state is reserved to the Regional Administrator.
- b. The director of WD must provide the director of the Office of Ground Water & Drinking Water the opportunity to review each subsequent submission of both state programs.

4. REDELEGATION AUTHORITY.

- a. This authority may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. State Source Water Assessment and Protection Programs - Final Guidance (Aug. 6, 1997).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-9-62

Issued: TN R7-133, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Administrative Penalty Actions Against a Federal Agency for Violations of the Safe Drinking Water Act

1. **AUTHORITY.** Pursuant to Section 1447(b) of the Safe Drinking Water Act, as amended, the authority to:
 - a. Determine whether a federal agency is in violation of an applicable requirement under this act;
 - b. Issue complaints;
 - c. Negotiate consent orders memorializing settlements between the EPA and federal-agency respondents;
 - d. Sign consent orders between the EPA and federal-agency respondents; and
 - e. Issue final orders assessing penalties for violation of the SDWA by any federal agency.
2. **TO WHOM REDELEGATED.**
 - a. The authority in paragraphs 1.a., 1.b., 1.c., and 1.d. are redelegated to the director of the Enforcement & Compliance Assurance Division.
 - b. The authority in paragraph 1.c. is redelegated to the regional counsel.
 - c. The authority in paragraph 1.e. is redelegated to the Regional Judicial Officer.
3. **LIMITATIONS.**
 - a. The director of ECAD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraphs 1.b. and 1.d.

- b. If the head of the affected department, agency, or instrumentality requests in writing a conference with the Administrator and serves a copy of the request on the parties of record within 30 days of the Environmental Appeals Board's service of the final order, a decision by the Administrator shall become the final order for the purposes of the SDWA.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a., 1.b., 1.d., and 1.e. may not be redelegated.
- b. The authority in paragraph 1.c. may be redelegated to the staff level and no further.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. 40 C.F.R. Part 22, Subparts A – H.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-9-67

Issued: TN 88, 8/15/2000
Revised: TN R7-133, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Drinking Water State Revolving Fund (DWSRF) Program

1. **AUTHORITY.** Pursuant to Sections 1419, 1420, and 1452 of the Safe Drinking Water Act, as amended, the authority to:
 - a. Approve capitalization grant agreements to States and grants to Indian Tribes, Alaskan Native Villages, and the State of Alaska for the benefit of Native Villages, governments or public water systems of the Virgin Islands, the Northern Mariana Islands, American Samoa and Guam, the Trust Territory of the Pacific Islands, and to the District of Columbia for drinking water infrastructure needs, as authorized by Section 1452.
 - b. Make determinations annually on a fiscal year basis to withhold a certain percentage of each capitalization grant, in accordance with Sections 1420(a), 1420(c), and 1452(a)(1)(G)(i), made to a State if it has not:
 - i. developed and is implementing a program to ensure demonstration of technical, managerial, and financial capacity by new community and non-transient, non-community water systems; and,
 - ii. developed and is implementing a strategy to assist public water systems in acquiring and maintaining the technical, managerial, and financial capacity to comply with the Act.
 - c. Make determinations to withhold 20% of a State's capitalization grant, in accordance with Section 1419(b) and Section 1452(a)(1)(G)(ii), made to a State if it has not adopted and is implementing a program for the certification of operators of community and non-transient, non-community public water systems that meet the requirements of guidelines published pursuant to Section 1419(a) or meets the requirements of Section 1419(c).
2. **TO WHOM REDELEGATED.** These authorities are redelegated to the director of the Water Division.

3. LIMITATIONS.

- a. To achieve national consistency in withholding decisions under paragraph 1.b., above, director of WD is to make withholding decisions, in accordance with the guidance published under Sections 1420(d)(4) and 1452(g)(3) and must seek concurrence from the assistant administrator for OW on:
 - i. the decision on the first State new systems program submitted under Section 1420(a) in Region 7, and all decisions to withhold funds; and
 - ii. the decision on the first capacity development strategy submitted under Section 1420(c) in Region 7, and all decisions to withhold funds.
- b. To achieve national consistency in withholding decisions under paragraph 1.c., above, the director of WD is to make withholding decisions, in accordance with the guidance published under Sections 1419(a) and 1452(g)(3) and must seek concurrence from the assistant administrator for OW on:
 - i. the decision on one State operator certification program submitted under Section 1419(b) in Region 7, and all decisions to withhold funds;
 - ii. the decision on any State operator certification program submitted under section 1419(c) (programs submitted as “equivalent”) in Region 7, and all decisions to withhold funds;
- c. Withholdings under paragraphs 1.b. and 1.c., above, do not apply to Native American Tribes, the Virgin Islands, the Northern Mariana Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands.
- d. For concurrences under paragraph 1.a., the director of WD shall obtain the concurrence of the director of the Office of Ground Water and Drinking Water for the following:
 - i. in those cases where a state capitalization grant applicant requests an exception to case draw procedures related to aggressive leveraging proposals or other cases which would involve the draw of cash at a more accelerated rate than specified in the DWSRF Guidelines or regulations;
 - ii. for approval of any capitalization grants where the DWSRF will be used to generate payments for state match bonds. However this concurrence is not required if concurrence was given for such use on a previous capitalization grant and there are no changes to the structure of the program.

4. REDELEGATION AUTHORITY.

- a. This authority may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. **ADDITIONAL REFERENCES.** Refer to HQ Delegation 9-67, issued under TN 499, 2/14/2000, which contains additional references.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-9-68

Issued: TN 91, 1/4/2001
Revised: TN R7-133, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Determination of Allotment and Award of Grants under Section 1419(d) of the Safe Drinking Water Act

1. **AUTHORITY.** As authorized by Section 1419(d) of the SDWA, as amended (42 U.S.C. § 300f, et. seq), for expense reimbursement under the operator certification program, the authority to:
 - a. Approve grants for the costs of training, including an appropriate per diem for unsalaried operators, and certification for persons operating systems serving 3,300 persons or fewer that are required to undergo training pursuant to Section 1419 of the SDWA.
 - b. Receive notification from any State that, after reimbursing all such costs referred to in paragraph 1.a., decides to use any remaining funds from the grant for any of the other purposes authorized for grants under Section 1452 of the SDWA.
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** The director of the Water Division must obtain the concurrence of the director of the Office of Ground Water and Drinking Water before approving the first expense reimbursement grant agreement in each region. OGWDW and each region will agree in advance on additional agreements, or parts thereof, for OGWDW to review. Any review by OGWDW will be conducted concurrently with each region.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. 40 C.F.R. Part 31.
- b. Delegation 1-14, "Assistance Agreements."
- c. EPA Assistance Administration Manual.
- d. EPA Guidelines for the Certification and Re-Certification of the Operators of Community and Non-Transient, Non-Community Public Water Systems.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-9-74

Issued: TN R7-133, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Implementation of the Aircraft Drinking Water Rule

1. **AUTHORITY.** Pursuant to Subpart X of the National Primary Drinking Water Regulations, the authority to:
 - a. Invalidate a test result for a “total coliform” sample as set forth in 40 C.F.R. § 141.803(a)(5), in accordance with 40 C.F.R. § 141.21(c)(1)(i), (ii), or (iii);
 - b. Make a determination under 40 C.F.R. § 141.805(a)(7) that public notification is necessary to protect public health for reasons other than those listed in 40 C.F.R. § 141.805(a)(1) through (a)(6);
 - c. Approve in writing, under 40 C.F.R. § 141.805(f)(1)(iv) another delivery method of public notification to passengers and crew, different from the methods listed in 40 C.F.R. § 141.805(f)(1)(i) through (f)(1)(iii);
 - d. Receive reports and other information from air carriers under the reporting requirements of 40 C.F.R. § 141.806(a) through (c); and
 - e. Request and receive from air carriers copies of sampling plans and aircraft water system operations and maintenance plans, in accordance with 40 C.F.R. § 141.807(d) and (e).
2. **TO WHOM REDELEGATED.** Director of the Water Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. The authority in paragraphs 1.d. and 1.e. may be redelegated to the level of branch chief and no further.

- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. Sections 1412 and 1445 of the SDWA.



TEMPORARY REDELEGATION OF AUTHORITY

U.S. EPA Region 7

MEMORANDUM

SUBJECT: Temporary Regional Redeflegation of Authority for the Approval, Award, and Administration of Assistance Agreements under Sections 1459 and 1464 of the Safe Drinking Water Act

FROM: James B. Gulliford
Regional Administrator

TO: Jeff Robichaud, Director
Director, Water Division

1. **AUTHORITY.** Pursuant to Section 1459 and 1464 of the Safe Drinking Water Act, as amended, the authority to approve, award, and administer assistance agreements to any eligible entities for projects or activities authorized under Section 1459 and 1464 of the Safe Drinking Water Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Water Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Federal Grant and Cooperative Agreement Act of 1977.
 - b. Delegation R7-1-14, "Assistance Agreements."
 - c. 2 C.F.R. Part 200, *et seq.*

9/18/19

Date

A handwritten signature in black ink, appearing to read "James B. Gulliford", is written over a horizontal line.

James B. Gulliford
Regional Administrator



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-12-1

Issued: TN R7-18, 1/26/1986
Revised: TN R7-138, 3/2/2020

CHAPTER 12

TOXIC SUBSTANCES CONTROL ACT

Inspections and Subpoenas

1. **AUTHORITY.** Pursuant to the Toxic Substances Control Act, including Section 11 of TSCA, the authority to:
 - a. Inspect any establishment, facility, or other premises in which chemical substances, mixtures, or articles containing chemical substances or mixtures, are manufactured, processed, stored, or held before or after their distribution in commerce, and any conveyance being used to transport chemical substances, mixtures, or such articles in connection with distribution in commerce;
 - b. Obtain and execute warrants for the purpose of performing inspections and conducting information gathering;
 - c. Carry out any other inspection and information gathering activities authorized by the TSCA;
 - d. Require the carrying out of any other inspection and information gathering activities authorized by the TSCA;
 - e. Require by subpoena the attendance and testimony of witnesses and the production of reports, papers, documents, answers to questions, and other information; and
 - f. Designate representatives of the Administrator to perform the functions in 1.a. and 1.c.
2. **TO WHOM REDELEGATED.**
 - a. The authority in paragraphs 1.a., 1.c., 1.d., 1.e., and 1.f. are redelegated to the director of the Enforcement & Compliance Assurance Division.
 - b. The authority in paragraph 1.b. is redelegated to the regional counsel.

3. LIMITATIONS. The director of the Enforcement & Compliance Assurance Division must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising any authority under paragraph 1.e.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a. and 1.c. may be redelegated to the staff level.
- b. The authority in paragraph 1.b. may not be redelegated.
- c. The authority in paragraphs 1.d., 1.e., and 1.f. may be redelegated to the level of branch chief and no further.
- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically re-delegated.

5. ADDITIONAL REFERENCES.

- a. Sections 11(a)-(c) of TSCA.
- b. U.S. Environmental Protection Agency Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-12-2A**

**Issued: TN 18, 1/26/1986
Revised: TN R7-138, 3/2/2020**

CHAPTER 12

TOXIC SUBSTANCES CONTROL ACT

Administrative Enforcement: Issuance of Complaints and Signing of Consent Agreements

1. AUTHORITY.

- a. To file administrative complaints against alleged violators of the Toxic Substances Control Act for the purpose of proposing civil penalties as provided in TSCA;
- b. To negotiate consent agreements memorializing settlements between the agency and respondents; and
- c. To sign consent agreements memorializing settlements between the agency and respondents.

2. TO WHOM REDELEGATED.

- a. These authorities are redelegated to the director of the Enforcement & Compliance Assurance Division.
- b. The authority in paragraph 1.b. is redelegated to the regional counsel.

3. LIMITATIONS.

- a. The director of ECAD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraphs 1.a. and 1.c.
- b. The director of ECAD and the regional counsel must consult with the assistant administrator for the Office of Enforcement & Compliance Assurance, or her or his designee, before exercising any of the above authorities, unless such consultation is waived by memorandum.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraph 1.b. may be redelegated to the staff level.

- b. The authority in paragraph 1.c. may be redelegated to the level of branch chief and no further.
- c. The authority in paragraph 1.a. may not be redelegated.
- d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. Sections 15 and 16 of TSCA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-12-2B**

**Issued: TN 18, 1/26/1986
Revised: TN R7-138, 3/2/2020**

CHAPTER 12

TOXIC SUBSTANCES CONTROL ACT

Administrative Enforcement: Agency Representation in Hearings and Signing of Consent Agreements

1. AUTHORITY.

- a. To represent the Environmental Protection Agency in civil penalty adjudications conducted under the Toxic Substances Control Act and 5 U.S.C. § 554;
- b. To negotiate consent agreements between the agency and respondents resulting from such enforcement actions;
- c. To sign consent agreements between the agency and respondents resulting from such enforcement actions; and
- d. To represent the agency in appeals from administrative determinations.

2. TO WHOM REDELEGATED.

- a. The authority in paragraphs 1.a., 1.b., and 1.d. is redelegated to the regional counsel.
- b. The authority in paragraphs 1.b. and 1.c. is redelegated to the director of the Enforcement & Compliance Assurance Division.

3. LIMITATIONS. The director of ECAD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraph 1.c.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a., 1.b., and 1.d. may be redelegated to the staff level.
- b. The authority in paragraph 1.c. may be redelegated to the level of branch chief and no further.

- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-12-2C

Issued: TN R7-133, 4/29/2019

CHAPTER 12

TOXIC SUBSTANCES CONTROL ACT

Administrative Enforcement: Issuance of Consent Orders and Final Orders

1. AUTHORITY.

- a. To issue consent orders memorializing settlements between the agency and respondents resulting from administrative enforcement actions under the Toxic Substances Control Act.
- b. To issue final orders assessing penalties under TSCA.

2. TO WHOM REDELEGATED. These authorities are redelegated to the Regional Judicial Officer.

3. LIMITATIONS. The Regional Judicial Officer may not be employed by the Enforcement & Compliance Assurance Division or by any program office directly associated with the type of violation at issue in the involved proceeding.

4. REDELEGATION AUTHORITY.

- a. These authorities may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. 40 C.F.R. Part 22.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-12-5

Issued: TN 94, 6/7/2001
Revised: TN R7-133, 4/29/2019

CHAPTER 12

TOXIC SUBSTANCES CONTROL ACT

Management of Polychlorinated Biphenyls (PCBs)

- 1. AUTHORITY.** Pursuant to regulations promulgated under Section 6(e) of the Toxic Substances Control Act and codified in 40 C.F.R. Parts 750 and 761, the authority to:
 - a. Approve or disapprove a self-implementing cleanup of, or changes to an approved cleanup of, PCB remediation waste;
 - b. Grant, deny, and revoke TSCA PCB Coordinated Approvals;
 - c. Grant an application for a variance from the performance criteria applicable to a boiler that burns used oil;
 - d. Approve requests to collect a surface sample from a natural gas pipe segment or pipeline section where the surface area is less than 100 cm².
 - e. Waive notification of commencement of research and development for disposal activity or of self-implementing cleanup of PCB remediation waste.
 - f. Approve or deny applications for risk-based sampling, cleanup, storage, decontamination, or disposal of PCBs;
 - g. Require, allow, restrict, or prohibit PCB management activities based on a finding that the activity does or does not present an unreasonable risk of injury to health or the environment;
 - h. Request or require information or data on the nature, location, and extent of PCB contamination;
 - i. Extend the limits on volume, concentration, or duration for PCB disposal activities and to extend the time limits for complying with PCB regulations, where the regulation specifically authorizes such extensions;
 - j. Approve changes in ownership or operational control of a commercial storage facility;

- k. Approve or deny permit applications to operate PCB storage or disposal facilities; and
 - l. Approve modifications to, or release owners or operators from closure plans for commercial storage facilities.
- 2. TO WHOM REDELEGATED.** These authorities are redelegated to the director of the Land, Chemical & Redevelopment Division.
- 3. LIMITATIONS.** The director of LCARD may only exercise these authorities in regard to facilities that will operate or activities that will take place in Region 7.
- 4. REDELEGATION AUTHORITY.**
- a. The authority in paragraphs 1.b., 1.c., 1.f., 1.g., and 1.k. may not be redelegated.
 - b. The authority in paragraphs 1.a., 1.d., 1.e., 1.h., 1.i., 1.j., and 1.l. may be redelegated to the level of branch chief and no further.
 - c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-12-9

Issued: TN 58, 01/01/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 12

TOXIC SUBSTANCES CONTROL ACT

State/Tribal Cooperative Agreements: Toxics Substances Development Projects

1. **AUTHORITY.** To approve cooperative agreements with states and federally recognized Indian tribes and tribal organizations for the development, establishment, and operation of toxic substances control projects leading to the prevention or elimination of unreasonable risks to health or the environment pursuant to Section 10(a) and Section 28 of the Toxic Substances Control Act.
2. **TO WHOM REDELEGATED.** Director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Delegation 1-14, "Assistance Agreements."

NOTE: Per Memo, 12/4/1995, Director Air, RCRA and Toxics Division to Acting Assistant Regional Administrator for Policy and Management, the following responsibilities for Award of Grants under this delegation is outlined as follows:

On Programmatic Certification forms covering Section 10(a), the Division Director has been delegated as the Award Official, the Decision Official is the Branch Chief, and the Recommending Official is the Project Officer.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-12-22

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 12

TOXIC SUBSTANCES CONTROL ACT

Toxic Substances Development Projects

1. **AUTHORITY.** Pursuant to Section 10(a) of the Toxic Substances Control Act, the authority to approve grants and cooperative agreements to eligible recipients, including states, state and local associations, non-profit training organizations, professional and trade associations, universities, labor unions, and joint labor/management trust funds, for monitoring and development, including the development and facilitation of activities involving the exchange of toxics information between states, and the development of asbestos training and accreditation programs including the development of curricula and training materials and for the preparation and dissemination of information relating to asbestos hazards.
2. **TO WHOM REDELEGATED.** Director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.**
 - a. Approval of grants or cooperative agreements funded with the research and development appropriation is limited to the assistant administrator for the Office of Research and Development, or her or his designee.
 - b. The redelegated authority for research and development is limited to activities directly contributing to the implementation of the mission of the office and consistent with congressionally approved budget requests.
 - a. This authority does not include research within the purview of the Office of Research and Development.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.

- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Asbestos School Hazard Abatement Act of 1984 (ASHAA);
- b. Title II of TSCA, Asbestos Hazard Emergency Response Act of 1986 (AHERA);
- c. Delegation 1-14, "Assistance Agreements";
- d. 40 C.F.R. Parts 30, 31, 32, and 33;

NOTE: Per Memo, 12/4/1995, Director, Air, RECR and Toxics Division to Acting Assistant Regional Administrator for Policy and Management, the following responsibilities for Award of Grants under this delegation is outlined as follows:

On Programmatic Certification forms covering Section 10(a), the Division director has been delegated as the Award Official, the Decision Official is the Branch Chief, and the Recommending Official (on Programmatic Certification forms) is the Project Officer.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-12-29

Issued: TN 86, 02/23/2000
Revised: TN R7-133, 4/29/2019

CHAPTER 12

TOXIC SUBSTANCES CONTROL ACT

Lead Exposure Reduction Grants and Cooperative Agreements

1. **AUTHORITY.** Pursuant to Title IV, Section 404(g) of the Toxic Substances Control Act, the authority to approve grants and cooperative agreements with states, territories, and Indian Governing Bodies to develop, carry out authorized programs to administer and enforce the standards, regulations and other requirements established under Sections 402 and 406 of TSCA.
2. **TO WHOM REDELEGATED.** Director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.** Grants and cooperative agreements to Indian Governing Bodies cannot be approved pursuant to Section 404(g) until promulgation of final regulations that provide Indian Governing Bodies will be treated in the same manner as States.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Federal Grant and Cooperative Agreement Act of 1977.
 - b. 40 C.F.R. Parts 31 and 32.
 - c. EPA Assistance Administration Manual.
 - d. Delegation 1-14, "Assistance Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-12-31

Issued: TN 81, 9/4/2012
Revised: TN R7-133, 4/29/2019

CHAPTER 12

TOXIC SUBSTANCES CONTROL ACT

Authorization of State and Tribal Programs under Section 404

1. **AUTHORITY.** The functions and responsibilities related to the authorization of State and Tribal Programs under Section 404 of the Toxic Substances Control, including, but not limited to the following functions:
 - a. To process applications, including publication of notices of receipt in the Federal Register, for the authorization of State or Tribal programs submitted under TSCA § 404(a) by any State or Tribe seeking to administer and enforce a program under TSCA § 404.
 - b. To approve or disapprove under TSCA § 404(b) an application for the authorization of a State or Tribal program submitted by any State or Tribe seeking to administer and enforce a program under TSCA § 404.
 - c. To withdraw authorization of a State or Tribal program under TSCA § 404(c) if a State or Tribe is not administering and enforcing a program in compliance with the standards, regulations and other requirements under TSCA, Title IV, Section 404.
2. **TO WHOM REDELEGATED.** Director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.** Before exercising these authorities, the director of LCARD must:
 - a. Consult with the assistant administrator for the Office of Chemical Safety & Pollution Prevention and the assistant administrator for the Office of Enforcement and Compliance Assurance, or their respective designees, with respect to determinations pertaining to the approval or disapproval of any program application pursuant to which a State or Tribe seeks to administer or enforce standards, regulations, or other requirements established under TSCA Sections 402(a) or 406(b), and to determinations pertaining to the withdrawal of any program pursuant to which a State or Tribe is authorized, or is deemed to be authorized, to administer or enforce TSCA Sections 402(a) or 406(b) standards, regulations or other requirements.

- b. Obtain the concurrence of the director of the Office of Pollution Prevention & Toxics, unless and until such concurrence requirement is waived in writing by the assistant administrator for Office of Chemical Safety & Pollution Prevention, with respect to determinations pertaining to the approval or disapproval of any program application pursuant to which a State or Tribe seeks to administer or enforce standards, regulations, or other requirements established under TSCA § 402(c)(3) and to determinations pertaining to the withdrawal of any program pursuant to which a State or Tribe is authorized, or is deemed to be authorized, to administer or enforce TSCA § 402(c)(3) standards, regulations, or other requirements,. Prior to providing concurrence or waiving the concurrence requirement, the assistant administrator must consult with the General Counsel and the assistant administrator for the Office of Enforcement & Compliance Assurance, or their respective designees.

4. REDELEGATION AUTHORITY.

- a. These authorities may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Title X of the Housing and Community Development Act of 1992, Public Law 102-550 (also known as the Residential Lead-Based Paint Hazard Reduction Act of 1992, which amended the Toxic Substances Control Act (TSCA) 15 U.S.C. 2601) by adding Title IV – Lead Exposure Reduction.
- b. 40 C.F.R. Part 745.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-12-33

Issued: TN 81, 9/14/1998
Revised: TN R7-133, 4/29/2019

CHAPTER 12

TOXIC SUBSTANCES CONTROL ACT

Accreditation of Training Programs under Section 404

1. **AUTHORITY.** In States or Indian Country without authorized Accreditation and Certification Programs under Section 404 of the Toxic Substances Control Act, the authority to:
 - a. Grant or deny accreditation or re-accreditation to training programs offering courses in any of the following disciplines; lead inspector, lead risk assessor, lead supervisor, lead project designer, or lead abatement worker (40 C.F.R. § 745.225);
 - b. Grant or deny accreditation or re-accreditation to training programs offering courses in either of the following disciplines: renovator or dust sampling technician (40 C.F.R. § 45.225).
 - c. Suspend, revoke, or modify accreditation of training programs if the training program, training manager, or other person with supervisory authority over the training commits any of the acts identified in 40 C.F.R. § 745.225(g).
2. **TO WHOM REDELEGATED.** Director of the Land, Chemical & Redevelopment Branch.
3. **LIMITATIONS.** Before exercising the authority in paragraph 1.b., the director of LCARD must consult with the assistant administrator for the Office of Chemical Safety & Pollution Prevention, unless and until such consultation requirement is waived by memorandum.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**

- a. Title X, the Housing and Community Development Act of 1992, Public Law 102-550 (also known as “The Residential Lead-Based Paint Hazard Reduction Act of 1992”), which amended the Toxic Substances Control Act (TSCA) (15 U.S.C. 2601) by adding Title IV – Lead Exposure Reduction.
- b. 40 C.F.R. Part 745.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-14-1**

**Issued: TN 96, 3/12/2002
Revised: TN R7-133, 4/29/2019**

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Superfund State Contracts and Cooperative Agreements

1. **AUTHORITY.** To enter into a contract and/or cooperative agreement with States, political subdivisions thereof, and Indian Tribes, as appropriate, pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Section 104; 40 CFR Part 35, Subpart O, "Cooperative Agreements and Superfund State Contracts for Superfund Response Actions," and 40 CFR 300, "National Oil and Hazardous Substances Pollution Contingency Plan" (NCP).
2. **TO WHOM REDELEGATED.** Director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.**
 - a. This authority shall be exercised subject to approved funding levels.
 - b. This authority does not extend to EPA procurement contracts.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. CERCLA §§ 101(23), 101(24), 105, 113, 116, 117, 118, 120, 121, and 126.
 - b. The Federal Grant and Cooperative Agreement Act of 1977, 31 U.S.C. Section 6301 et seq.

- c. 30 C.F.R. Part 31, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments."
- d. Delegation 1-14, "Assistance Agreements."
- e. Delegation 1-34, "Litigation Representation."
- f. Delegation 14-2, "Response."
- g. Delegation 14-22, "Administrative Record and Public Participation."
- h. Delegation 14-30, "Acquisition of Real Property."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-2

Issued: TN 97, 4/24/2002
Revised: TN R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Response

1. **AUTHORITY.** To respond to any release or threatened release of a hazardous substance, pollutant, or contaminant, pursuant to Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act and 40 C.F.R. Part 300, "National Oil and Hazardous Substances Pollution Contingency Plan," including the authority to:
 - a. Select a response action; and
 - b. Determine the need for emergency response and to approve and initiate removal actions.
2. **TO WHOM REDELEGATED.** Director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.**
 - a. The director of SEMD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.
 - b. The Administrator reserves the authority to select the remedy in the Record of Decision when the estimated cost of the remedy exceeds \$50 million.
 - c. These authorities shall be exercised subject to approved funding levels.
 - d. The director of SEMD may exercise these authorities only at sites located within Region 7, unless there is a memorandum of agreement that authorizes cross-boundary emergency response.
 - e. Unless waived by memorandum, the assistant administrator for the Office of Land & Emergency Management must approve the use of the consistency waiver in Section 104(c)(1)(C) of CERCLA for removal actions at sites not proposed to or final on the NPL.

- f. When the emergency waiver in Section 104(c)(1)(A) of CERCLA is used, the director of SEMD may approve removal actions costing up to \$6 million. The director of SEMD must seek approval from the AA for OLEM for removal actions costing more than \$6 million and requiring the emergency waiver. This limitation may be waived or modified by memorandum from the AA for OLEM.
- g. Unless waived by memorandum, the AA for OLEM must concur prior to the initiation of a removal action at non-NPL sites where the proposed action is on the List of Nationally Significant or Precedent-Setting Removal Action categories.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraph 1.b. may be redelegated to On-Scene Coordinators for removal actions costing up to \$250,000 where site conditions constitute an emergency and up to \$50,000 where site conditions do not constitute an emergency. All other authority may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. CERCLA §§ 101(23), 101(24), 105, 113, 116, 117, 118, 120, 121, and 126(b).
- b. 40 C.F.R. Part 35, Subpart O, “Cooperative Agreements and Superfund State Contracts for Superfund Response Actions.”
- c. Delegation 14-1, “Superfund State Contracts and Cooperative Agreements.”
- d. Delegation 14-17, “National Priorities List.”
- e. Delegation 14-22, “Response Action Administrative Record.”
- f. Delegation 14-30, “Acquisition of Property.”
- g. Limited Contracting Officer Warrant Authority issued to designated OSCs.
- h. “Use of Non-Time-Critical Removal Authority in Superfund Response Actions,” OSWER Dir. No. 9360.0-40P, February 14, 2000, specifying the Director, Office of Emergency and Remedial Response/OSWER will consult with the Director, Office of Site Remediation Enforcement/OECA prior to concurring on any engineering evaluation/cost analysis approval memorandum for a Fund-lead action that could exceed \$6 million.
- i. All other directives, policy, and guidance used by OSWER and OECA pertaining to response and consultation requirements.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-14-6**

**Issued: TN 29, 5/16/1988
Revised: TN R7-133, 4/29/2019**

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Inspections, Sampling, Information Gathering, Subpoenas, and Entry for Response

- 1. AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, including Sections 104, 109, and 122 of CERCLA, the authority to:
 - a. Enter any vessel, facility, establishment, place, property or location for the purposes of inspections, sampling, information gathering and response actions;
 - b. Require the production of information and documents;
 - c. Issue subpoenas;
 - d. Issue compliance orders for production of information and documents;
 - e. Issue compliance orders for entry and inspection;
 - f. Obtain and execute warrants to support this authority;
 - g. Carry out any inspections, sampling, information gathering authorized by CERCLA; and
 - h. Designate representatives of the Administrator to perform the functions specified in paragraphs 1.a. and 1.g.
- 2. TO WHOM REDELEGATED.**
 - a. The authority in paragraphs 1.a. through 1.e., 1.g., and 1.h., are redelegated to the director of the Superfund & Emergency Management Division.

- b. The authority in paragraphs 1.a., 1.b., 1.g., and 1.h. is redelegated to the director of the Enforcement & Compliance Assurance Division and the director of the Land, Chemical & Redevelopment Division.
- c. The authority in paragraph 1.f. is redelegated to the regional counsel.

3. LIMITATIONS.

- a. The director of ECAD may only exercise the authority in paragraphs 1.a., 1.b., 1.g., and 1.h. as they pertain to investigations of violations under Section 103 of CERCLA.
- b. The director of SEMD should consult with the assistant administrator for the Office of Enforcement and Compliance Assurance prior to issuing compliance orders regarding information gathering or for entry and inspection, or issuing subpoenas, consistent with the most recent version of the “OECA/OSRE CERCLA and RCRA/CWA/UST Roles Chart,” or successor documents, as appropriate.
- c. The director of SEMD must obtain the concurrence of the regional counsel before exercising the authority in paragraphs 1.c, 1.d., and 1.e.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a. and 1.g. may be redelegated to the staff level and no further.
- b. In SEMD, the authority in paragraph 1.b. may be redelegated to the level of branch chief and no further. In ECAD and LCARD, the authority in paragraph 1.b. may not be redelegated.
- c. The authority in paragraph 1.h. may be redelegated to the level of branch chief and no further.
- d. The authorities in paragraphs 1.c., 1.d., 1.e., and 1.f. may not be redelegated.
- e. An official who redelegates an authority retains the right to exercise or withdraw the authority. Relegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 104(e), 109(a)-(b), and 122(e) of CERCLA.
- b. National Contingency Plan, 40 C.F.R. Part 300.
- c. U.S. Environmental Protection Agency Order 3510, “EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities.”
- d. Delegation 14-12, “Civil Judicial Enforcement Actions, Including Collection Actions.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-8B

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Studies and Investigations Related to Cost Recovery and Enforcement Decisions: Special Notice

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, including Sections 104 and 122 of CERCLA, the authority to make determinations as to the necessity and appropriateness of studies and investigations related to the recovery of response costs and the enforcement of the provision of CERCLA, and to undertake such studies and investigations; and to make decisions, determinations, findings, notifications and non-binding allocations of responsibility under Section 122 of CERCLA.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.** The director of SEMD must obtain the concurrence of the regional counsel, or her or his designee, before exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 106 and 107 of CERCLA.
- b. All applicable U.S. Environmental Protection Agency guidance and directives.
- c. *See* EPA Delegation 14-6 for issuance of Section 104(e) requests.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-14-13B**

**Issued: TN 84, 4/19/1999
Revised: TN R7-133, 4/29/2019**

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Concurrence in Settlement of Civil Judicial Actions

1. AUTHORITY.

- a. To exercise the U.S. Environmental Protection Agency's concurrence authority in the settlement of civil judicial enforcement actions under the Comprehensive Environmental Response, Compensation, and Liability Act, as amended; and
- b. To request the Attorney General to amend a consent decree issued under CERCLA.

2. TO WHOM REDELEGATED. This authority is redelegated to the director of the Superfund & Emergency Management Division.

3. LIMITATIONS.

- a. The director of SEMD must obtain the concurrence of the regional counsel, or her or his designee, before exercising these authorities.
- b. Only the assistant administrator for the Office of Enforcement and Compliance Assurance may exercise these authorities with regard to multi-regional bankruptcy settlements and multi-regional insurance receivership settlements.
- c. The director of SEMD should exercise these authorities consistent with the most recent version of the "OECA/OSRE CERCLA and RCRA/CA/UST Roles Chart," or successor documents, as appropriate.

4. REDELEGATION AUTHORITY.

- a. These authorities may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 104, 106, 107, 109 and 122 of CERCLA.
- b. All other applicable EPA guidance and directives.
- c. For actions including 31 U.S.C. § 3711 and its applicable regulations, see delegations covering claims of EPA found in Chapter 1 of the 1200 Delegations Manual.
- d. Settlements under Section 122(g) of CERCLA are covered by delegation R7-14-14E, “De Minimis Settlements.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-14A

Issued: TN R7-84, 4/19/1999
Revised: TN R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Determinations of Imminent and Substantial Endangerment

1. **AUTHORITY.** Pursuant to Section 106(a) of the Comprehensive Environmental Response, Compensation, and Liability Act and 40 C.F.R. Part 300, National Oil and Hazardous Substances Pollution Contingency Plan (NCP), the authority to make determinations that there may be an imminent and substantial endangerment to public health or welfare or the environment.
2. **TO WHOM REDELEGATED.** Director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-14-14B**

**Issued: TN 84, 4/19/1999
Revised: TN R7-133, 4/29/2019**

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Administrative Actions Through Unilateral Orders

1. **AUTHORITY.** After giving notice to the affected state, to take administrative action pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, including Section 106 of CERCLA, including, but not limited to, issuing such unilateral orders as may be necessary to protect human health and welfare and the environment.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.**
 - a. The director of SEMD should consult with the assistant administrator for the Office of Enforcement and Compliance Assurance consistent with the most recent version of the “OECA/OSRE CERCLA and RCRA/CWA/UST Roles Chart,” or successor documents, as appropriate.
 - b. The director of SEMD obtain the concurrence of the regional counsel, or her or his designee, on the legal sufficiency of the action before exercising this authority. The regional counsel may waive the requirement of concurrence in writing.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Section 104 of CERCLA.
- b. Applicable U.S. Environmental Protection Agency guidance and OLEM directives.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-14C

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Administrative Actions Through Consent Orders

1. **AUTHORITY.** After giving notice to the affected state, to take administrative action pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, including Sections 104, 106, and 122 of CERCLA, including, but not limited to, issuing such orders on consent as may be necessary to protect public health and welfare and the environment.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.**
 - a. This authority does not include recovery of response costs under Section 122(h) of CERCLA or settlements with de minimis parties under Section 122(g) of CERCLA.
 - b. The director of SEMD should exercise this authority consistent with the most recent version of the "OECA/OSRE CERCLA and RCRA/CWA/UST Roles Chart," or successor documents, as appropriate.
 - c. The director of SEMD must obtain the concurrence of the regional counsel, or her or his designee, on the legal sufficiency of the action before exercising this authority. The regional counsel may waive the requirement of concurrence in writing.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.

- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Applicable U.S. Environmental Protection Agency guidance and directives.
- b. Authority to enter into or exercise EPA concurrence authority for non-judicial cost recovery agreements or administrative orders under Section 122(h) of CERCLA is delegated in 14-14-D, “Cost Recovery Non-Judicial Agreements and Administrative Consent Orders.”
- c. Authority to enter into or exercise agency concurrence authority in de minimis settlements under Section 122(g) of CERCLA is delegated in delegation 14-14-E, “De Minimis Settlements.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-14-14D**

**Issued: TN 29, 5/16/1988
Revised: TN R7-133, 4/29/2019**

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Cost Recovery Non-Judicial Agreements and Administrative Consent Orders

- 1. AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, including Sections 104, 107 and 122(h) of CERCLA, to enter into or exercise concurrence in non-judicial agreements or administrative orders on consent for the recovery of costs of response.
- 2. TO WHOM REDELEGATED.** This authority is redelegated to the director of the Superfund & Emergency Management Division.
- 3. LIMITATIONS.**
 - a. The director of SEMD should consult with the assistant administrator for the Office of Enforcement & Compliance Assurance consistent with the most recent version of the "OECA/OSRE CERCLA and RCRA/CWA/UST Roles Chart," or successor documents, as appropriate.
 - b. This authority does not include de minimis settlements under Section 122(g) of CERCLA.
 - c. This authority does not include referral of cost recovery claims for resolution by arbitration of representation of the U.S. Environmental Protection Agency at arbitration hearings, conferences and negotiations.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.

- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically delegated.

5. ADDITIONAL REFERENCES.

- a. All applicable EPA guidance and directives.
- b. Authority to enter consent orders for administrative actions is delegated in delegation 14-14-C, “Administrative Actions through Consent Orders.”
- c. Authority to refer cost recovery claims for resolution by arbitration and to represent the Agency at arbitration hearings, conferences, and negotiations is delegated in delegation 14-14-F, “Cost Recovery Arbitration.”
- d. Authority to enter into or exercise Agency concurrence authority in de minimis settlements under Section 122(g) of CERCLA is delegated in delegation 14-14-E, “De Minimis Settlements.”
- e. As required by Section 122(h)(1) of CERCLA, if total response costs at the facility exceed \$500,000 (excluding interest), the Agency may not compromise the claim without the prior written approval of the Attorney General.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-14E

Issued: TN 84, 4/20/1999
Revised: R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

De Minimis Settlements

1. **AUTHORITY.** To exercise the U.S. Environmental Protection Agency's authority pursuant to Section 122(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.**
 - a. The director of SEMD should exercise this authority consistent with the most recent version of the "OECA/OSRE CERCLA and RCRA/CWA/UST Roles Chart," or successor documents, as appropriate.
 - b. The director of SEMD must obtain the concurrence of the regional counsel, or her or his designee, before exercising this authority. The regional counsel may waive the requirement of concurrence in writing.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Section 102(b) of the Small Business Liability Relief and Brownfields Revitalization Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Regional Delegations Manual
R7-14-14F**

Issued: TN R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Cost Recovery Arbitration

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, the authority to represent EPA at cost recovery arbitration hearings, conferences, and negotiations.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the regional counsel.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to staff attorneys within the Office of Regional Counsel.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 104, 107, and 122(h)(2) of CERCLA.
 - b. Procedures for referral of cost recovery claims for resolution by arbitration and for representing EPA at arbitration hearings, conferences, and negotiations are published at 40 C.F.R. Part 304, Arbitration Procedures for Small Superfund Cost Recovery Claims.
 - c. Authority to enter into or exercise agency concurrence in non-judicial agreements or administrative orders for the recovery of response costs is delegated in 14-14-D, "Cost Recovery Non-Judicial Agreements and Administrative Consent Orders." Delegation 14-14-D may become applicable in two situations under the arbitration regulation: (i) if the agency

seeks to adopt a proposed arbitral decision as an administrative settlement pursuant to Section 122(h)(1) of CERCLA when the arbitration has been converted to a non-binding arbitration because costs increased to a dollar amount in excess of \$500,000, excluding interest, prior to the rendering of the final arbitral decision; or (ii) if the parties to the arbitration settle the claim as an administrative settlement pursuant to Section 122(h)(1) of CERCLA, rather than having the settlement embodied in a proposed arbitral decision. In either instance, if the total response costs at the facility exceed \$500,000, excluding interest, the agency may not compromise the claim without the prior written approval of the Attorney General.

- d. Authority to enter into or exercise agency concurrence in de minimis settlements under Section 122(g) of CERCLA is delegated in 14-14-E, "De Minimis Settlements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-16

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY ACT

Demand Letters

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, including Section 107 of CERCLA, the authority to prepare, sign and issue demand letters to responsible parties.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.** The director of SEMD must obtain the concurrence of the regional counsel, or her or his designee, on the legal sufficiency of the action before exercising this authority. The regional counsel may waive the requirement of concurrence in writing.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Sections 104, 106, 109, 113, and 122 of CERCLA.
 - b. All applicable U.S. Environmental Protection Agency guidance and directives.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-18A

Issued: TN 89, 11/09/2000
Revised: TN R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Alternative Treatment Technology and Research, Development, Demonstration and Training

1. **AUTHORITY.** Pursuant to Section 311(b) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, the authority to approve grants and cooperative agreements, and to conduct and support research through contracts to carry out a program of training in procedures for handling hazardous substances and for managing facilities at which hazardous substances are located.
2. **TO WHOM REDELEGATED.** Director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.** The director of SEMD must obtain the concurrence of the assistant administrator for the Office of Land & Emergency Management prior to approving funding packages under the authority granted above.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. Parts 30, 31, 40, and 45.
 - b. Federal Grant and Cooperative Agreement Act, PL 95-224 (31 U.S.C. 6301 et seq).
 - c. EPA Order 5700.1, "Policy for Distinguishing Between Assistance and Acquisition."
 - d. Delegation R7-1-14, "Assistance Agreements."

- e. EPA Order 1130.2A, “Senior Resource Officials and Resource Management Committee.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-21A

Issued: TN R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Consultations, Determinations, Reviews and Selection of Remedial Actions at Federal Facilities

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, the authority to:
 - a. Consult with agencies, departments, and instrumentalities regarding investigations and studies of federal facilities under Section 120(e)(1) of CERCLA;
 - b. Review the plans for and results of such investigations and studies under Section 120(e)(2) of CERCLA;
 - c. Select remedial actions under Section 120(e)(4) of CERCLA; and
 - d. Determine under Section 120(e)(6) that remedial investigations and feasibility studies or remedial action will be done properly at a federal facility by another potentially responsible party within the deadlines provided in Section 120(e)(1), (2), and (3) of CERCLA.
2. **TO WHOM REDELEGATED.** Director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.**
 - a. The director of SEMD may not exercise the authority in paragraph 1.c. when the estimated cost of the remedy exceeds \$50 million.
 - b. Consultation prior to selection of a remedial action may be required by memorandum from the assistant administrator for the Office of Land & Emergency Management.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.

- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. 40 C.F.R. Part 300, "National Oil and Hazardous Substances Pollution Contingency Plan."
- b. Delegation 14-2, "Response."
- c. Delegation 14-21-B, "Agreements with Other Federal Agencies."
- d. Delegation 14-40, "Evaluation of Approved Remedial Design."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-22

Issued: TN 84, 4/19/1999
Revised: TN R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Response Action Administrative Record

1. **AUTHORITY.** Pursuant to Section 113(k) and 117 of the Comprehensive Environmental Response, Compensation, and Liability Act and 40 C.F.R. Part 300, "National Oil and Hazardous Substances Pollution Contingency Plan" (NCP), the authority to:
 - a. Establish and make available an administrative record as the basis for the response action selection; and
 - b. Provide for public participation in developing the administrative record and adopting the response action.
2. **TO WHOM REDELEGATED.** Director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 113(k) of CERCLA.
 - b. National Contingency Plan, 40 C.F.R. Part 300.

- c. All Agency policy, guidance, and regulations related to the administrative record requirements of CERCLA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-24

Issued: TN 89, 11/09/2000
Revised: TN R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Technical Assistance Grants (TAG)

- 1. AUTHORITY.** Pursuant to Section 117(e) of the Comprehensive Environmental Response, Compensation, and Liability Act and 40 C.F.R. Part 35, Subpart M, "Grants for Technical Assistance," the authority to approve technical assistance grants.
- 2. TO WHOM REDELEGATED.** Director of the Office of Public Affairs.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.**
 - a. The Federal Grant and Cooperative Agreement Act of 1977, 31 U.S.C. § 6301 et seq.
 - b. 40 C.F.R. Part 1, Subchapter B, "Grants and Other Federal Assistance."
 - c. EPA Order 5700.1, "Policy for Distinguishing Between Assistance and Acquisition."
 - d. Delegation R7-1-14, "Assistance Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-25

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Notification of Trustees

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, including Sections 104(b)(2), 107(f)(2)(B), and 122(j)(1) of CERCLA, the authority to notify appropriate federal and state natural resource trustees of:
 - a. Potential damages to natural resources resulting from releases of hazardous substances, pollutants, or contaminants, and to coordinate assessments, investigations, and planning with such trustees; and
 - b. Negotiations under Section 122(j)(1) of CERCLA related to such release, and to receive notice of designation of state trustees under Section 107(f)(2)(b) of CERCLA.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.** The director of SEMD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Applicable U.S. Environmental Protection Agency guidance and directives.
- b. National Contingency Plan, 40 C.F.R. Part 300.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-26

Issued: TN R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Federal Lien

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, the authority to file notice of and assert either a Federal lien upon real property and any rights to such property, or a maritime lien in favor of the United States.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.** The director of SEMD must notify the assistant administrator for the Office of Enforcement & Compliance Assurance, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Sections 107(l), (r), and (m) of CERCLA.
 - b. Delegation 14-12, "Civil Judicial Enforcement Actions."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-27

Issued: TN R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Petitions for Reimbursement

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, including Section 106, the authority to enter into settlements of claims asserted in petitions for reimbursement of the costs of abatement action incurred in carrying out a Section 106 order issued by the U.S. Environmental Protection Agency and, as appropriate, to authorize payment in settlement of such claims.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.**
 - a. The director of SEMD may exercise this authority only where the petitioner has agreed to dismiss its petition for reimbursement with prejudice as a condition of settlement.
 - b. The director of SEMD should exercise the authority to authorize payment from the Hazardous Substance Superfund (Fund) in settlement of claims only with the advance concurrence of the assistant administrator for the Office of Enforcement & Compliance Assurance, the assistant administrator for the Office of Land & Emergency Management, and the general counsel. The AA for OECA, the AA for OLEM, and the general counsel may waive or modify their advance concurrence by memorandum.
 - c. The regional administrators shall notify the Environmental Appeals Board immediately upon reaching a settlement agreement.
 - d. The director of SEMD should exercise the authority to enter into settlements that do not involve payment from the Fund consistent with the most recent version of the "OECA/OSRE CERCLA and RCRA/CWA/UST Roles Chart", or successor documents, as appropriate, and Delegations 14-13B, 14-14C, 14-14D, and 14-14E.

- e. Nothing in this delegation shall be construed to authorize regional administrators to settle any claims asserted in a petition for reimbursement based on a Section 106 order issued by any agency other than the EPA.

4. REDELEGATION AUTHORITY.

- a. This authority may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. Applicable agency guidance and directives.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-31

Issued: TN R7-39, 3/25/1992
Revised: TN R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Administrative Penalty Actions

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, the authority to:
 - a. Make determinations of violations under Section 109;
 - b. Assess penalties;
 - c. Issue notices, orders, or complaints;
 - d. Compile the administrative record upon which the violation was found or the penalty imposed;
 - e. Negotiate consent agreements memorializing settlements under Section 109 of CERCLA between the agency and respondents;
 - f. Sign such consent agreements; and
 - g. Issue consent orders under Section 109 between the Agency and respondents.
2. **TO WHOM REDELEGATED.**
 - a. The authority in paragraphs 1.a. through 1.d. and 1.f. are redelegated to the director of the Enforcement & Compliance Assurance Division.
 - b. The authority in paragraph 1.e. is redelegated to the regional counsel.
 - c. The authority in paragraph 1.g. is redelegated to the Regional Judicial Officer.

3. LIMITATIONS.

- a. The directors of ECAD must notify the assistant administrator for the Office of Land & Emergency Management, or her or his designee, and the assistant administrator of the Office of Enforcement & Compliance Assurance when exercising of these authorities.
- b. The directors of ECAD and SEMD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraphs 1.c. and 1.f.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a. through 1.d., 1.f. and 1.g. may not be redelegated.
- b. The authority in paragraph 1.e. may be redelegated to staff attorneys.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-32

Issued: TN 39, 3/25/1992
Revised: R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Administrative Enforcement: Agency Representation at Hearings

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, the authority to:
 - a. Represent the agency in administrative enforcement actions following issuance of administrative complaint or order under Section 109(a)(1)(A) of CERCLA and/or 5 U.S.C. § 554;
 - b. Negotiate consent agreements between the agency and respondents resulting from such enforcement actions; and
 - c. Initiate an administrative appeal from an administrative determination, and to represent the Agency in such appeals.
2. **TO WHOM REDELEGATED.**
 - a. The authority in paragraphs 1.a. and 1.b. are redelegated to the regional counsel.
 - b. The authority in paragraph 1.c. is redelegated to the director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.** This authority may only be exercised after the alleged violator files an answer or fails to file an answer within the appropriate timeframe.
4. **REDELEGATION AUTHORITY.**
 - a. The authority in paragraphs 1.a. and 1.b. may be redelegated to the staff level and no further.
 - b. The authority in paragraph 1.c. may not be redelegated.

- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. All applicable Agency guidance and directives.
- b. Section 109 of CERCLA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-36

Issued: TN R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Lead-Contaminated Soil

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, the authority to approve, award, and administer grant(s) or cooperative agreement(s) to a State, local government, or other recipients to carry out a pilot program for removal, decontamination, or other action with respect to lead-contaminated soil.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.** The director of SEMD must obtain the concurrence of the assistant administrator for the Office of Land & Emergency Management, or her or his designee, prior to awarding a grant or cooperative agreement.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Sections 111(a) of CERCLA.
 - b. 40 C.F.R. Parts 30 and 33.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-38

Issued: TN R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

EPA Role in Department of Defense Environmental Restoration Program

1. **AUTHORITY.** Pursuant to Title 10, United States Code, Chapter 160, as amended by Section 211 of the Superfund Amendments and Reauthorization Act of 1986 (SARA), the authority to:
 - a. Provide consultation to the Secretary of Defense, or her or his designee, to carry out a program of environmental restoration at facilities under his/her jurisdiction; and
 - b. Receive and comment on notices of release and proposals for response actions under Chapter 160, § 275, Department of Defense environmental restoration activities.
2. **TO WHOM REDELEGATED.** These authorities are redelegated to the director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 211 of SARA.
 - b. Title 10, United States Code, Chapter 160, Sections 2701, 2702, 2704, and 2705 (“Armed Forces, Environmental restoration”).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-39

Issued: TN R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Concurrence on Identification of Uncontaminated Federal Real Property

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended by the Community Environmental Response Facilitation Act (CERFA), the authority to concur under Section 120(h)(4)(B) of CERCLA in the results of the identification of uncontaminated real property at a federal facility on the National Priorities List by the head of the Department, agency, or instrumentality of the United States with jurisdiction over the property, in accordance with Section 120(h)(4)(A) of CERCLA.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.** The director of SEMD must notify the assistant administrator for the Office of Land & Emergency Management, or her or his designee, after exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 120 of CERCLA.
 - b. CERFA, Pub. L. No. 102-426.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-40

Issued: TN R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Evaluation of Approved Remedial Design

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended by the Community Environmental Response Facilitation Act (CERFA), the authority under Section 120(h)(3) of CERCLA to evaluate an approved remedial design which has been constructed and installed to determine that such remedy is operating properly and successfully in order to establish that all necessary remedial action has been taken for purposes of Section 120(h)(3)(B)(i) of CERCLA.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.** The director of SEMD must notify the assistant administrator for the Office of Land & Emergency Management, or her or his designee, after exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 120 of CERCLA.
 - b. CERFA, Pub. L. No. 102-426.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-41

Issued: TN R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Deferral of the CERCLA § 120(h)(3)(A)(ii)(I) Covenant Requirement for Parcels of Real Property at Federal Facilities Listed on the National Priorities List

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended by the National Defense Authorization Act of 1997, the authority under Section 120(h)(3)(C)(i) of CERCLA to defer with concurrence of the governor, or her or his designee, the covenant requirement under Section 120(h)(3)(A)(ii)(I) of CERCLA with respect to real property located at a Federal facility that is listed on the National Priorities List, after a determination that property is suitable for transfer. The finding of suitability to transfer must include the criteria set forth in Section 120(h)(3)(C)(i) of CERCLA.
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.** The director of SEMD must notify the assistant administrator for the Office of Land & Emergency Management, or her or his designee, at the time the Federal agency requesting deferral provides notice of the proposed transfer as required by Section 120(h)(3)(C)(i)(III) of CERCLA.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 120 of CERCLA.

b. CERFA, Pub. L. No. 102-426.

c. Section 334 of the National Defense Authorization Act of 1997.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-42

Issued: TN R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Concurrence in the Exercise of Authority under CERCLA §§ 106(a) and 122 by the Secretaries of Interior, Commerce, Agriculture, Defense, and Energy

1. **AUTHORITY.** To concur in the exercise of authority under Sections 106(a) and 122 of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, by the Secretaries of Interior, Commerce, Agriculture, Defense, and Energy
2. **TO WHOM REDELEGATED.** This authority is redelegated to the director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.** The director of SEMD may exercise this authority only after the assistant administrator for the Office of Enforcement & Compliance Assurance:
 - a. Reviews Region 7's experience with CERCLA § 106 orders and CERCLA § 122 settlements that are proposed by the Secretaries of Interior, Commerce, Agriculture, Defense, and Energy; and
 - b. Authorizes the exercise of this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Executive Order No. 12580, “Superfund Implementation” (Jan. 23, 1987).
- b. Executive Order No. 13016, “Amendment to Executive Order No. 12580” (Aug. 28, 1996).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-43

Issued: TN 113, 11/24/2009
Revised: TN R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Planning and Implementing Off-Site Response Actions

1. **AUTHORITY.** Pursuant to Section 121(d)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, and in accordance with 40 C.F.R. § 300.440, the authority to:
 - a. Determine the initial acceptability of any facility being considered for the off-site treatment, storage, or disposal of CERCLA waste (40 C.F.R. § 300.440(b)(1));
 - b. Determine the continued acceptability of any facility being considered for the off-site treatment, storage, or disposal of CERCLA waste (40 C.F.R. § 300.440(b)(1));
 - c. Issue an initial determination of unacceptability if a facility does not satisfy the criteria for releases and relevant violations, notify the facility owner or operator of the initial determination of unacceptability, and notify the responsible agency in the State in which the facility is located of the unacceptability (40 C.F.R. § 300.440(d)(1));
 - d. Shorten, or eliminate the 60-day review period in extraordinary circumstances, and notify the facility owner or operator of the date of unacceptability (40 C.F.R. § 300.440(d)(9));
 - e. Provide for, and conduct, an informal conference if requested by the owner or operator of a facility in receipt of an initial determination of unacceptability (40 C.F.R. § 300.400(d)(4));
 - f. Decide if the information provided either at the informal conference or in written comments is sufficient to show that a determination of acceptability would be appropriate (40 C.F.R. § 300.440(d)(6));
 - g. Extend the 60-day review period if more time required to review the submission, and notify the facility owner or operator of the extension (40 C.F.R. § 300.440(d)(8)); and

- h. Reconsider an initial determination of unacceptability for a facility and notify the facility owner or operator of the decision (40 C.F.R. § 300.440(d)(7)).

2. TO WHOM REDELEGATED.

- a. The authority in paragraph 1.a. is redelegated to the Regional Off-Site Contact's (ROC) immediate supervisor.
- b. The authority in paragraph 1.b. is redelegated to the ROC.
- c. The authority in paragraph 1.c. redelegated to the ROC's immediate supervisor. However, as explained in paragraph 3, below, the authority to issue initial notices of unacceptability that include a decision to shorten or eliminate the 60-day review period under paragraph 1.d. may only be redelegated to the ROC's division director with the concurrence of the regional counsel, or her or his delegatee.
- d. The authority in paragraph 1.d. is redelegated to the director of the Enforcement & Compliance Assurance Division.
- e. The authority in paragraph 1.e. is redelegated to the ROC.
- f. The authority in paragraph 1.f. is redelegated to the ROC's division director with the concurrence of the regional counsel, or her or his designee.
- g. The authority in paragraph 1.g. is redelegated to the ROC's division director.
- h. The authority in paragraph 1.h. is redelegated to the ROC's division director. Determinations made after such reconsideration shall be made with the concurrence of the regional counsel, or her or his designee.

3. LIMITATIONS.

- a. For initial determinations of unacceptability under paragraph 1.c., the ROC's immediate supervisor shall obtain the concurrence of the regional counsel, or her or his designee.
- b. The authority for issuing the initial determination of unacceptability may be redelegated to a first-level supervisor. If, however, the initial determination of unacceptability also includes a decision to shorten or eliminate the 60-day review period, the person with the authority to make that decision shall also issue the initial determination of unacceptability with the concurrence of the regional counsel, or her or his designee.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.b. and 1.e. may be redelegated to the ROC.
- b. The authority in paragraphs 1.a., 1.c., 1.d., 1.f., 1.g., and 1.h. may not be redelegated.

- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Executive Order 12580, Superfund Implementation, January 23, 1987.
- b. Executive Order 13016, August 28, 1996.
- c. Delegation 14-43, "Planning and Implementing Off-Site Response Actions."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-44

Issued: TN 103, 3/22/2004
Revised: TN R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

State and Tribal Response Program Funding

1. **AUTHORITY.** Pursuant to Section 128(a) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, the authority to:
 - a. Make determinations and take actions necessary to approve grants; and
 - b. Modify a Memorandum of Agreement (MOA) with a state or Indian tribe regarding that state's or tribe's voluntary response program.
2. **TO WHOM REDELEGATED.** Director of the Superfund & Emergency Management Division.
3. **LIMITATIONS.**
 - a. The director of SEMD must exercise the authority in paragraph 1.a. in accordance with program guidance issued by the assistant administrator for the Office of Land & Emergency Management, or her or his designee.
 - b. The director of SEMD must consult with the AA for OLEM and the assistant administrator for the Office of Enforcement & Compliance Assurance, or their designees, before modifying an MOA under paragraph 1.b. The AA for OLEM and the AA for OECA, or their designees, may waive this limitation in whole or in part by memorandum.
 - c. This authority shall be exercised subject to approved funding levels.
4. **REDELEGATION AUTHORITY.** These authorities may not be redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. The Federal Grant and Cooperative Agreement Act of 1977, 31 U.S.C. § 6301, et seq.

- b. EPA Order 5700.1, "Policy for Distinguishing Between Assistance and Acquisition."
- c. 40 C.F.R. Part 31, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments."
- d. Delegation 1-14, "Assistance Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-14-45

Issued: TN 103, 3/22/2004
Revised: TN R7-133, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION AND LIABILITY ACT

Brownfields Revitalization Funding

- 1. AUTHORITY.** Pursuant to Sections 101(3) and 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, and Executive Order 13308, the authority to:
 - a. Make determinations and take other actions necessary to approve grants to:
 - i. Eligible entities for programs to inventory, characterize, assess, and conduct planning related to one or more Brownfield sites;
 - ii. Eligible entities for capitalization of Brownfield remediation revolving funds;
 - iii. Eligible entities and non-profit organizations for remediation of one or more Brownfield sites; and
 - iv. Eligible entities and non-profit organizations to provide training, research and technical assistance to individuals and organizations to facilitate the inventory of Brownfield sites, site assessments, remediation of Brownfield sites, community involvement or site preparation; and, where applicable, to approve providing these services directly through contracts, interagency agreements and other authorized means.
 - b. Perform targeted site assessments at Brownfields sites under Section 104(k)(2)(A)(ii) of CERCLA; and
 - c. Approve grants to eligible entities and non-profit organizations for joint multimedia environmental-training programs supported by program offices in addition to the Office of Land & Emergency Management under Section 103 of the Clean Air Act; Section 104 of the Clean Water Act; Section 8001 of the Solid Waste Disposal Act; Section 10 of the Toxic Substances Control Act; Section 20 of the Federal Insecticide, Fungicide, and Rodenticide Act; Section 311 of the Comprehensive Environmental Response, Compensation, and Liability Act; Section 202

of the Marine Protection, Research and Sanctuaries Act; and Section 201(2)(F) of the National Environmental Policy Act.

2. TO WHOM REDELEGATED. Director of the Land, Chemical & Redevelopment Division.

3. LIMITATIONS.

- a. The director of LCARD must obtain the concurrence of the assistant administrator for the Office of Land & Emergency Management, or her or his designee, prior to exercising the authority in paragraph 1.a. This limitation does not restrict the authority of the director of LCARD under Delegation R7-1-14 to execute and administer grants approved by the AA for OLEM.
- b. The director of LCARD must make determinations under subparagraphs 1.a.i., 1.a.ii., and 1.a.iii. regarding the eligibility of entities in consultation with the assistant administrator for the Office of Enforcement & Compliance Assurance, or her or his designee. The AA for OECA, or her or his designee, may waive this limitation in whole or in part by memorandum.
- c. The director of LCARD must make determinations regarding the eligibility of Brownfield sites in consultation with the AA for OECA, or her or his designee. The AA for OECA, or her or his designee may waive this limitation in whole or in part by memorandum.
- d. This authority shall be exercised subject to approved funding levels.

4. REDELEGATION AUTHORITY. These authorities may not be redelegated.

5. ADDITIONAL REFERENCES.

- a. The Federal Grant and Cooperative Agreement Act of 1977, 31 U.S.C. §§ 6301 et seq.
- b. EPA Order 5700.1, "Policy for Distinguishing Between Assistance and Acquisition."
- c. 40 C.F.R. Part 30, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations."
- d. 40 C.F.R. Part 31, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments."
- e. Delegation 1-14, "Assistance Agreements."
- f. Delegation R7-1-14, "Assistance Agreements."
- g. Executive Order 13308 (June 20, 2003).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-22-3A

Issued: TN 39, 3/25/1992
Revised: TN R7-133, 4/29/2019

CHAPTER 22

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT

Administrative Enforcement Actions

1. **AUTHORITY.** To make any administrative enforcement action under the Emergency Planning and Community Right-to-Know Act, including, but not limited to:
 - a. Designating representatives of the Administrator to conduct inspections; and
 - b. Issuing compliance orders, complaints or other notices, and subpoenas.
2. **TO WHOM REDELEGATED.** Director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.**
 - a. The director of ECAD must consult with the assistant administrator for the Office of Enforcement & Compliance Assurance, or her or his designee, prior to exercising this authority, unless such consultation is waived by memorandum.
 - b. The director of ECAD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraph 1.b.
4. **REDELEGATION AUTHORITY.**
 - a. The authority in paragraph 1.a. may be redelegated to the level of branch chief and no further.
 - b. The authority in paragraph 1.b. may not be redelegated.
 - c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Section 325 of EPCRA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-22-3B

Issued: TN 39, 3/25/1992
Revised: TN R7-133, 4/29/2019

CHAPTER 22

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT

Administrative Enforcement: Agency Representation in Hearings and Negotiations

1. **AUTHORITY.** Pursuant to the Emergency Planning and Community Right-to-Know Act, the authority to:
 - a. Represent EPA in civil administrative penalty adjudications conducted under EPCRA;
 - b. Negotiate consent agreements between the agency and respondents resulting from such enforcement actions;
 - c. Initiate appeals from such administrative determinations; and
 - d. Represent the agency in such appeals.
2. **TO WHOM REDELEGATED.**
 - a. The authority in paragraphs 1.a., 1.b., and 1.d. are redelegated to the regional counsel.
 - b. The authority in paragraphs 1.b. and 1.c. are redelegated to the director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.** The director of ECAD must consult with the assistant administrator for the Office of Enforcement & Compliance Assurance, or her or his designee, prior to deciding whether to appeal an adverse administrative decision.
4. **REDELEGATION AUTHORITY.**
 - a. The authority in paragraphs 1.a., 1.b., and 1.d. may be redelegated to the staff level and no further.
 - b. The authority in paragraph 1.c. may not be redelegated.

- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. Section 325 of EPCRA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-22-3C

Issued: TN R7-133, 4/29/2019

CHAPTER 22

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT

Administrative Hearings: 40 C.F.R. Part 22

1. **AUTHORITY.** To hold and preside over hearings, assess penalties, perform all applicable functions set forth in 40 C.F.R. Part 22, and perform related duties that the Administrator is authorized to perform under Section 325(b), (c), (d), and (f) of the Emergency Planning and Community Right-to-Know-Act.
2. **TO WHOM REDELEGATED.** Regional Judicial Officer.
3. **LIMITATIONS.** These proceedings must follow the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits, as set forth in 40 C.F.R. Part 22.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Section 325 of EPCRA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-22-4

Issued: TN R7-133, 4/29/2019

CHAPTER 22

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT

Provisions for Emergency Planning, Emergency Release Notification, and Informing the Public About Chemical Hazards in their Community Under EPCRA

1. **AUTHORITY.** Pursuant to Sections 302 through 312 of the Emergency Planning and Community Right-to-Know Act, the authority to provide program direction, guidance and support, issue general notices, and receive notifications from State Emergency Response Commissions (SERC) of facilities subject to the requirements under Section 302(d) of EPCRA.
2. **TO WHOM REDELEGATED.** Director of the Enforcement & Compliance Assurance Division.
3. **LIMITATIONS.** Actions requiring rulemaking are retained by the Administrator.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Sections 302 through 312 of EPCRA.
 - b. 40 C.F.R. Parts 355, 370.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-23-3

Issued: TN 1200 (R-33), 3/23/1989
Revised: TN R7-133, 4/29/2019

CHAPTER 23

ASBESTOS HAZARD EMERGENCY RESPONSE ACT

Approval of Asbestos Training Courses and State Accreditation Programs

1. **AUTHORITY.** Pursuant to Section 206 of the Toxic Substances Control Act, the authority to:
 - a. Grant full approval to initial and refresher training courses that have a prior contingent approval from the U.S. Environmental Protection Agency or approval from a state program for purposes of accreditation under Section 206 of TSCA (15 U.S.C. § 2646), and to suspend, revoke or withdraw any of these approvals for a failure to comply;
 - b. Grant partial and full approval of state asbestos accreditation programs that comply with Section 206 of TSCA and to suspend, revoke, or withdraw any such approval for a failure to comply; and
 - c. Suspend or revoke the accreditation of any person who has obtained accreditation from an approved training provider or from a state accreditation program that complies with Section 206 of TSCA, where such person is in violation of Unit I.G. of 40 C.F.R. Part 763, Appendix C to Subpart E.
2. **TO WHOM REDELEGATED.** These authorities are redelegated to the director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Section 206 of the Asbestos Hazard Emergency Response Act.
- b. Section 15 of the Asbestos School Hazard Abatement Reauthorization Act.
- c. The Asbestos Model Accreditation Plan (40 C.F.R. Part 763, Appendix C to Subpart E).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-27-3

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 27

INDOOR RADON ABATEMENT ACT

Grants Assistance to States for Radon Programs

1. **AUTHORITY.** To approve grants and cooperative agreements to States for the purpose of development and implementation of programs for the assessment and mitigation of radon pursuant to Section 306 of Title III (Indoor Radon Abatement) of the Toxic Substances Control Act.
2. **TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Agency grant regulations, 40 C.F.R. Parts 29, 31, and 32.
 - b. Delegation 1-14, "Assistance Agreements."
 - c. Section 36 of Title III of the Toxic Substance Control Act, Indoor Radon Abatement, 15 U.S.C. § 2666.

Note: Per Memo, 12/4/1995, Director, Air, RCRA and Toxics Division to Acting Assistant Regional Administrator for Policy and Management, the following responsibilities for Award of Grants under this delegation is outlined as follows:

On Programmatic Certification forms covering Section 306, the Division Director has been delegated as the Award Official, the Decision Official is the Branch Chief, and the Recommending Official is the Project Officer.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-27-4

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 27

INDOOR RADON ABATEMENT ACT

Indian Radon Pilot Projects

1. **AUTHORITY.** To approve grants and cooperative agreements to the governing bodies of federally recognized Indian tribes, including Alaska Native Villages, and to inter-tribal Indian organizations, for development of radon pilot projects pursuant to Section 10(a) of the Toxic Substances Control Act.
2. **TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Agency grant regulations, 40 C.F.R. Parts 30, 31, 32, and 33.
 - b. Delegation 1-14, "Assistance Agreements."
 - c. Section 306 of Title III of Toxic Substances Control Act, Indoor Radon Abatement, 15 U.S.C. § 2666.

NOTE: Per Memo, 12/4/1995, Director, Air, RCRA and Toxics Division to Acting Assistant Regional Administrator for Policy and Management, the following responsibilities for Award of Grants under this delegation is outlined as follows:

On Programmatic Certification forms covering Section 10(a), the Division Director has been delegated as the Award Official, the Decision Official is the Branch Chief, and the Recommending Official is the Project Officer.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-27-5

Issued: TN 58, 1/1/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 27

INDOOR RADON ABATEMENT ACT

Information Collection from States Under Assistance for Radon Programs

1. **AUTHORITY.** To request and receive from the State information, data, and reports necessary to make a determination of continuing State eligibility for assistance pursuant to Section 306 of Title III (Indoor Radon Abatement) of the Toxic Substances Control Act.
2. **TO WHOM REDELEGATED.** Director of the Air & Radiation Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Agency grant regulations, 40 C.F.R. Parts 19, 31, and 32.
 - b. Section 306 of Title III of the Toxic Substances Control Act, Indoor Radon Abatement, 15 U.S.C. § 2666.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Regional Delegations Manual
R7-28-1

Issued: TN 61, 6/29/1995
Revised: TN R7-133, 4/29/2019

CHAPTER 28

POLLUTION PREVENTION ACT

Assistance Agreements for Pollution Prevention

1. **AUTHORITY.** To approve grants or cooperative agreements for State multimedia pollution prevention/source reduction programs under Section 6605 of the Pollution Prevention Act of 1990.
2. **TO WHOM REDELEGATED.** Director of the Land, Chemical & Redevelopment Division.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Guidance on Use of Grant/Cooperative Agreement Funds for Pollution Prevention; 40 C.F.R. Part 31; the Assistance Administration Manual; Federal Grant and Cooperative Agreement Act.
 - b. Delegation 1-14, "Assistance Agreements," which gives the authority to execute grants and cooperative agreements to the Director, Grants Administration Division, with further redelegation authorized to the Branch Chief level; and to Regional Administrators, who may further redelegate to the Division Director level.
 - c. Public Law 101-508, Pollution Prevention Act of 1990, Section 6605; 42 U.S.C. § 13104.
 - d. Regional Delegation 1-14, issued under Transmittal Number 55, 1/28/1994, is revised to include this delegation.

NOTE: Per Memo, 121/4/19995, Director, Air, RCRA and Toxics Division to Acting Assistant Regional Administrator for Policy and Management, the following responsibilities for Award



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-1-84**

**Issued: TN R7-DIV-11, 9/11/2003
Revised: TN R7-DIV-34, 4/29/2019**

CHAPTER 1

GENERAL, ADMINISTRATIVE AND MISCELLANEOUS

Information Resources Management

1. AUTHORITY.

- a. To approve the acquisition of Information Technology Resources;
- b. To review and approve Section 508 undue burden justification requests for the Region; and
- c. To certify that Electronic and Information Technology (EIT) items purchased are in compliance with requirements of Section 508 of the Rehabilitation Act.

2. TO WHOM REDELEGATED. Chief of the Region 7 Information Technology Branch.

3. LIMITATIONS. The authority in paragraph 1.a. is limited to \$2,500 per purchase.

4. REDELEGATION AUTHORITY.

- a. This authority may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. HQ Delegation 1-84, issued under TN 534, 12/18/01.
- b. HQ Memorandum, 12/17/2002, from Director, Office of Information Analysis and Access, to Regional Administrators, Subject: Redelegation of Delegation 1-84, redelegating authority under Section 508 of the Rehabilitation Act Amendments to the Regional Administrator with authority to further redelegate.

- c. HQ Memorandum, 4/17/2003, from the Director, Office of Technology Operations and Planning to Regional Administrators, et al, Subject: Redelegation of Authority to Approve Acquisition of Information Technology Resources.
- d. HQ Order 2100.1, 1/14/1002, Accessible Electronic and Information Technology.
- e. Guidelines for making Undue Burden Determinations and Subparts B, C, and D of the final Section 508 Standards are available at: <http://intranet.epa.gov/rmpolicy/ads/transorders.htm>
- f. Guidance on personal software/personal devices on office equipment, issued by PLMG, 8/2003. This guidance can be located on R7@Work, Directives & Guidance, Information Technology IT Guidance.
- g. Regional Delegation 1-84, Information Resources Management issued under TN 100 dated 9/10/2003.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-2-13

Issued: TN R7-DIV-31, 1/17/2017
Revised: TN R7-DIV-35, 3/2/2020

CHAPTER 2

CLEAN WATER ACT

Inspections and Information Gathering

1. **AUTHORITY.** Pursuant to the Clean Water Act, including Sections 308 and 311 of the CWA, the authority to:
 - a. Enter into, upon, or through any premises subject to the CWA, or in which records required to be maintained under the CWA are located; have access to and copy records; take samples, and inspect monitoring equipment and methods;
 - b. Require the owner or operator of any point source to establish and maintain records; make reports; install, use, and maintain monitoring equipment; sample effluents; and provide information;
 - c. Carry out any other inspection and information gathering activities authorized by the CWA
 - d. Require the carrying out of any other inspection and information gathering activities authorized by the CWA; and
 - e. Designate representatives to perform the functions specified in paragraphs 1.a. and 1.b.
2. **TO WHOM REDELEGATED.**
 - a. These authorities are redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Water Branch.
 - b. The authority in paragraphs 1.a., 1.c., and 1.e. is redelegated from the director of the Water Division to the chiefs of the Permits & Loans Branch, Standards & Water Quality Branch, and Watersheds & Grants Branch; and the director of the Superfund & Emergency Management Division to the chief of the Assessment, Emergency Response & Removal Branch.
3. **LIMITATIONS.** None.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a. and 1.c. may be redelegated to the staff level and no further.
- b. The authority in paragraphs 1.b., 1.d., and 1.e. may not be redelegated.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 308 and 311 of the CWA, and regulations developed thereunder.
- b. U.S. Environmental Protection Agency Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-2-14A**

Issued: TN R7-DIV-31, 1/17/2017

CHAPTER 2

CLEAN WATER ACT

Civil Judicial Enforcement and Administrative Penalty Collection Actions

- 1. AUTHORITY.** To appear and represent the agency in any Clean Water Act civil enforcement action where the Attorney General has refused or failed to appear and represent the agency, exclusive of appeals.
- 2. TO WHOM REDELEGATED.** This authority is redelegated from the regional counsel to the chiefs of the Superfund Branch and Water Branch.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to staff attorneys within the Office of Regional Counsel.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.**
 - a. Memorandum of Understanding between the U.S. Environmental Protection Agency and the Department of Justice, June 1977, 42 Fed. Reg. 48942 (1977).
 - b. Direct referral agreement memorialized in letter of September 29, 1983, from Alvin L. Alm, Deputy Administrator, to F. Henry Habicht, Assistant Attorney General, regarding direct referrals; Sections 309, 311, 402(h), 504 and 506 of CWA.

- c. For referrals of requests for emergency CWA Temporary Restraining Orders, see the delegation R7-2-14D, “Emergency TROs.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-2-22

Issued: TN 3, 7/5/1977
Revised: TN R7-DIV-34, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Administrative Compliance Orders and Notices of Violation

1. **AUTHORITY.** Pursuant to Section 309(a) of the Clean Water Act, the authority to confer with persons to whom an order is issued.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Water Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 40 C.F.R. Parts 122-125.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-2-43**

**Issued: TN R7-DIV-18, 7/2/2007
Revised: TN R7-DIV-34, 4/29/2019**

CHAPTER 2

CLEAN WATER ACT

Section 404 Dredged and Fill Material Permitting

1. AUTHORITY.

- a. To review, comment on and/or object to applications for State permits in a state with an approved assumed Section 404 permit program (Section 404(j));
- b. To review and comment on U.S. Army Corps of Engineers Section 404 public notices (Section 404(q));
- c. To make final determinations of applicability of Section 404(f).

2. TO WHOM REDELEGATED. These authorities are redelegated from the director of the Water Division to the chief of the Watersheds & Grants Branch.

3. LIMITATIONS.

- a. Regional administrators are delegated authority under paragraph 1.b. to transmit the consolidated federal comment on a state permit application in an approved, assumed state program. This initial comment letter transmitting the consolidated federal comment to the appropriate state permitting agency is referred to as the "A" letter.
- b. Regional administrators are delegated authority under paragraph 1.b. to send letters to the appropriate state permitting agency, either sustaining or removing an outstanding federal objection. This letter either sustaining or removing an outstanding federal objection is referred to as the "B" letter. Concurrence by the assistant administrator for the Office of Water is required (1) on the first three "B" letters in a region sustaining an objection to the state's permit decision, thus transferring the permit to the Corps of Engineers, and (2) on the first three "B" letters allowing the state to issue a permit over the objections of the Corps of Engineers, U.S. Fish and Wildlife Service, and/or National Marine Fisheries Service.

- c. For permits reviewed after the concurrences in 3.d. above are complete, regions shall keep the director of the wetlands division informed about “A” letters and potential “B” letters in accordance with coordination procedures developed by the director and the regions.
- d. The director of WD must obtain the concurrence of the assistant administrator for the Office of Water and the General Counsel prior to approving State program submissions. Concurrence may be waived by memorandum; however, each waiver must be authorized by the assistant administrator for OW and the General Counsel. The Regional Administrator (or his delegate) is responsible for maintaining a record of any waivers of this limitation and sending a copy of the waiver to the Management and Organization Division (PM-213).
- e. Concurrence by the assistant administrator for the Office of Enforcement & Compliance Assurance, or her or his designee, is only required when these permits involve enforcement issues.
- f. The director of WD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising these authorities.

4. REDELEGATION AUTHORITY.

- a. These authorities may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. 40 C.F.R. Parts 30 and 31.
- b. EPA Order 1000.23.
- c. Memorandum of Agreement between the Department of the Army and the Environmental Protection Agency concerning the determination of the geographic jurisdiction of the Section 404 program and the application of the exemptions under Section 404(f) of the Clean Water Act, dated January 19, 1989.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-2-51**

Issued: TN R7-DIV-35, 3/2/2019

CHAPTER 2

CLEAN WATER ACT

Class I Administrative Penalty Actions

1. **AUTHORITY.** Pursuant to the Clean Water Act the authority to issue an order on consent between the agency and a respondent resulting from the initiation of a Class I administrative penalty action under the CWA.
2. **TO WHOM DELEGATED.** This authority is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Water Branch.
3. **LIMITATIONS.** The chief of ECAD/WB must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 309 of the Clean Water Act, 33 U.S.C. § 1319, as amended by the Water Quality Act of 1987.
 - b. Section 311 of the Clean Water Act, 33 U.S.C. § 1321, as amended by the Oil Pollution Act of 1990.
 - c. Agency guidance or regulations governing Class I administrative penalty actions under the Clean Water Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-2-52A

Issued: TN R7-DIV-31, 1/17/2017
Revised: TN R7-DIV-35, 3/2/2020

CHAPTER 2

CLEAN WATER ACT

Class II Administrative Penalty: Initiation of Action; Public Notice; Consultation with State; Negotiation and Signing of Consent Agreement; and Assessing Penalties

1. **AUTHORITY.** Pursuant to Sections 309(g) and 311 of the Clean Water Act, the authority to:
 - a. Provide, or cause to be provided, public notice of proposed assessment and provide commentors with copies of orders entered on consent or on default; and
 - b. Consult with States, as required; and
 - c. Sign consent agreements between the Agency and the party against whom a Class II penalty is proposed to be assessed
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Water Branch.
3. **LIMITATIONS.** The chief of ECAD/WB must consult with the regional counsel, or her or his designee, and obtain advance concurrence on the legal sufficiency of documents to be issued under the authority specified in paragraph 1.d.
4. **REDELEGATION AUTHORITY.**
 - a. The authority in paragraphs 1.a. and 1.c. may not be redelegated.
 - b. The authority in paragraph 1.b. may be redelegated to the staff level and no further.
 - c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 309(g) and 311 of the CWA.
- b. Delegations 1-37, “Hearings,” and 1-38, “Adjudicatory Proceedings.”
- c. 40 C.F.R. Part 22.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-2-52B

Issued: TN R7-DIV-34, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Class II Administrative Penalty: Agency Representation in Hearings and Appeals

1. AUTHORITY.

- a. To represent EPA in Class II civil penalty adjudications conducted under Section 309(g) and 311(b) of the Clean Water Act; and
- b. To represent the agency in internal appeals from orders, rulings, or decisions entered in administrative proceedings under Section 309(g) and 311(b) of the CWA, whether or not initiated by the agency, and in proceedings initiated by commentors under Section 309(g)(4)(C) of the CWA.

2. TO WHOM REDELEGATED. These authorities are redelegated from the regional counsel to the chief of the Water Branch in the Office of Regional Counsel.

3. LIMITATIONS. None.

4. REDELEGATION AUTHORITY.

- a. These authorities may be redelegated to staff attorneys within the Office of Regional Counsel.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Guidance on Headquarters Involvement in the Issuance by Regions of the First three Proposed and Final Class II Administrative Penalty Orders.
- b. 40 C.F.R. Part 22.
- c. Delegations 1-37 and 1-38, entitled "Hearings" and Adjudicatory Proceedings."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-2-86**

Issued: TN R7-DIV-34, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Facility Response Plans

- 1. AUTHORITY.** Pursuant to Section 311(j)(5) of the Clean Water Act, as amended by the Oil Pollution Act of 1990:
 - a. To approve means to ensure the availability of private personnel and equipment to implement facility response plans for non-transportation-related onshore facilities;
 - b. To review and approve such plans for non-transportation-related onshore facilities under Section 4202(b)(4) of OPA; and
 - c. To authorize non-transportation-related onshore facilities to operate without approved response plans for non-transportation-related facilities under Section 311(j)(5)(F).
- 2. TO WHOM REDELEGATED.** These authorities are redelegated from the director of the Superfund & Emergency Management Division to the chief of the Assessment, Emergency Response & Removal Branch.
- 3. LIMITATIONS.** The chief of SEMD/AERR must consult with the director of the Water Division, or her or his designee, prior to exercising the authority in paragraph 1.c.
- 4. REDELEGATION AUTHORITY.**
 - a. The authority in paragraphs 1.a. and 1.b. may be redelegated to On-Scene Coordinators and no further.
 - b. The authority in paragraph 1.c. may be redelegated to the level of section chief and no further.
 - c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-2-87**

Issued: TN R7-DIV-34, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Equipment Inspections

1. **AUTHORITY.** Pursuant to Section 311(j)(6)(A) of the Clean Water Act, as amended by the Oil Pollution Act of 1990, to require periodic inspections of containment booms and equipment used to remove discharges at non-transportation-related onshore facilities.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of the Superfund & Emergency Management Division to the chief of the Assessment, Emergency Response & Removal Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to On-Scene Coordinators and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-2-88

Issued: TN R7-DIV-34, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Tests of Facility Removal Capability

1. **AUTHORITY.** Pursuant to Section 311(j)(7) of the Clean Water Act, as amended by the Oil Pollution Act of 1990, to conduct periodic drills of removal capability under relevant response plans for facilities located in the inland zone.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the director of the Superfund & Emergency Management Division to the chief of the Assessment, Emergency Response & Removal Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to level of section chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-2-89

Issued: TN R7-DIV-5, 4/30/2001
Revised: TN R7-DIV-34, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Removal of Discharge or Threat of Discharge under Section 311(c) of the Clean Water Act

- 1. AUTHORITY.** Pursuant to Section 311(c) of the Clean Water Act, as amended by the Oil Pollution Act of 1990, the authority to:
 - a. Remove or arrange for the removal of a discharge and to mitigate or prevent a substantial threat of a discharge;
 - b. Direct or monitor all Federal, State, and private actions;
 - c. Remove and, if necessary, destroy a vessel that is discharging or threatening to discharge;
 - d. Consult with affected trustees; and
 - e. Determine when the removal is complete.
- 2. TO WHOM REDELEGATED.** This authority is redelegated from the director of the Superfund & Emergency Management Division to the chief of the Assessment, Emergency Response & Removal Branch.
- 3. LIMITATIONS.**
 - a. Section 1011 of the OPA limits the authority in paragraph 1.e. to cases that involve the discharge of oil.
 - b. The authority in paragraphs 1.a. through 1.d. must be exercised in accordance with the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) and appropriate Area Contingency Plans in order to ensure immediate and effective response.
 - c. The authority in paragraph 1.b. includes issuance or oral orders.

4. REDELEGATION AUTHORITY.

- a. These authorities may be redelegated to On-Scene Coordinators and no further.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-2-107

Issued: TN R7-DIV-34, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Enforcement of the Standards for the Use or Disposal of Sewage Sludge in all EPA Regions

1. **AUTHORITY.** The authorities as specified in delegations 2-13, 2-14A, 2-52A, and 2-52B, pursuant to the Clean Water Act, as applied to conducting inspections, information gathering and enforcement of the Standards for the Use or Disposal of Sewage Sludge outside the geographic boundary of Region 7 on behalf of other regions as the National Biosolids Center of Excellence.
2. **TO WHOM REDELEGATED.** These authorities are redelegated to the same officials specifically designated in redelegations R7-DIV-2-13, R7-DIV-2-14A, R7-DIV-2-52A, and R7-DIV-2-52B.
3. **LIMITATIONS.**
 - a. These authorities will continue to apply in all EPA regions, however any region may refer a biosolids matter to Region 7 for further investigation and/or enforcement. Region 7 may accept or decline the referral.
 - b. These authorities must be exercised in the manner specified by redelegations R7-DIV-2-13, R7-DIV-2-14A, R7-DIV-2-52A, and R7-DIV-2-52B.
 - c. Before exercising these authorities for matters located in whole or in part outside of Region 7, the specific delegatee of such authority must consult with the regional administrator or designee of the affected region. A region may elect to waive this limitation, if it so wishes, by notifying Region 7 of such waiver in writing.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may or may not be redelegated to the same extent specified in redelegations R7-DIV-2-13, R7-DIV-2-14A, R7-DIV-2-52A, and R7-DIV-2-52B.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-5-4

Issued: TN R7-DIV-31, 1/17/2017
Revised: TN R7-DIV-34, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Use of Pesticides Under Experimental Use Permits

1. **AUTHORITY.** To perform the functions and responsibilities relative to supervision of the use of pesticides under Experimental Use Permits, and to determine the status of compliance with terms and conditions of Experimental Use Permits, as set forth in Section 5(c) of the Federal Insecticide, Fungicide, and Rodenticide Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of the Land, Chemical & Redevelopment Division to the chief of the Tanks, Toxics & Pesticides Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-5-8**

**Issued: TN R7-DIV-31, 1/17/2017
Revised: TN R7-DIV-34, 4/29/2019**

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Registration of Establishments

1. **AUTHORITY.** To perform the functions and responsibilities relative to the registration of establishments and the requesting and receipt of information related to establishments, as set forth in Section 7 of the Federal Insecticide, Fungicide, and Rodenticide Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of the Land, Chemical & Redevelopment Division to the chief of the Tanks, Toxics & Pesticides Branch.
3. **LIMITATIONS.** Authority to promulgate rules and regulations and to issue notices of proposed rulemaking implementing Section 7(c) of FIFRA is reserved to the Administrator.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 40 C.F.R. Part 167.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-5-9

Issued: TN R7-DIV-31, 1/17/2017
Revised: TN R7-DIV-35, 3/2/2020

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Inspections and Information Gathering

1. **AUTHORITY.** Pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, including Sections 8 and 9 of FIFRA, the authority to:
 - a. Perform the Environmental Protection Agency functions and responsibilities relative to the inspection of books and records;
 - b. Perform the EPA functions and responsibilities relative to the inspection of establishments or other places where pesticides or devices are held for distribution or sale, or any place where there is being held any pesticides the registration of which has been suspended or canceled;
 - c. Carry out any other inspection and information gathering activities authorized by FIFRA; and
 - d. Require the carrying out of any other inspection and information gathering activities authorized by FIFRA; and
 - e. Designate representatives of the Administrator to perform the functions specified in paragraphs 1.a, 1.b, and 1.c.
2. **TO WHOM REDELEGATED.**
 - a. These authorities are redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch.
 - b. The authorities in paragraphs 1.a. through 1.c. and 1.e. are redelegated from the director of the Land, Chemical & Redevelopment Division to the chief of the Tanks, Toxics & Pesticides Branch.
3. **LIMITATIONS.** None.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a., 1.b., and 1.c. may be redelegated to the staff level.
- b. The authority in paragraphs 1.d. and 1.e. may not be redelegated.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 8 and 9 of FIFRA.
- b. U.S. Environmental Protection Agency Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-5-13

Issued: TN R7-DIV-31, 1/17/2017
Revised: TN R7-DIV-34, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Disposition of Pesticides

1. **AUTHORITY.** To cooperate with a Federal District Court in the disposition of a condemned pesticide or device, as provided in the Federal Insecticide, Fungicide, and Rodenticide Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch; and from the director of the Land, Chemical & Redevelopment Division to the chief of the Tanks, Toxics & Pesticides Branch.
3. **LIMITATIONS.** The chiefs of ECAD/CHEM & LCARD/TTPB must consult with the director of the Superfund & Emergency Management Division, or her or his designee, and the regional counsel, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. The disposal of pesticides may implicate Solid Waste Disposal Act requirements. See Chapter 8 of this Delegations Manual.
 - b. Section 13(b), (c), and (d) of FIFRA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-5-14

Issued: TN R7-DIV-34, 4/29/2019
Revised: TN R7-DIV-35, 3/2/2020

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT

Administrative Enforcement: Negotiation of Consent Agreements

- 1. AUTHORITY.** Pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, the authority to:
 - a. Negotiate consent agreements memorializing settlements between the agency and respondents.
 - b. Sign consent agreements memorializing settlements between the Agency and respondents.
- 2. TO WHOM REDELEGATED.**
 - a. The authority in paragraph 1.a. is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch, and from the regional counsel to the chief of the Chemical Branch.
 - b. The authority in paragraph 1.b. is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch.
- 3. LIMITATIONS.**
 - a. The director of ECAD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraph 1.b.
 - b. The chiefs of ECAD/CB and ORC/CB must consult with the assistant administrator for the Office of Enforcement & Compliance Assurance, or her or his designee, in cases of national significance before exercising these authorities.
- 4. REDELEGATION AUTHORITY.**
 - a. The authority in paragraph 1.a. may be redelegated to the staff level and no further.
 - b. The authority in paragraph 1.b. may not be redelegated.

- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. Delegation R7-5-15A, “Administrative Enforcement: Agency Representation in Hearings and Signing of Consent Agreements.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-5-15A

Issued: TN R7-DIV-34, 4/29/2019
Revised: TN R7-DIV-35, 3/2/2020

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Administrative Enforcement: Agency Representation in Hearings

1. AUTHORITY.

- a. To represent the agency in administrative enforcement actions conducted under the Federal Insecticide, Fungicide, and Rodenticide Act and 5 U.S.C. § 554;
- b. To negotiate consent agreements between the agency and respondents resulting from such enforcement actions;
- c. To sign consent agreements between the agency and respondents resulting from such enforcement actions; and
- d. To represent the agency in appeals from administrative determinations.

2. TO WHOM REDELEGATED.

- a. The authorities in paragraphs 1.a., 1.b., and 1.d. are redelegated from the regional counsel to the chief of the Chemical Branch.
- b. The authority in paragraphs 1.b. and 1.c. are redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch.

3. LIMITATIONS. The chief of ECAD/CB must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraph 1.c.

4. REDELEGATION AUTHORITY.

- a. These authorities may be redelegated to the staff level and no further.

- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. Delegation R7-5-14, “Administrative Enforcement: Issuance of Complaints and Signing of Consent Agreements.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-5-19

Issued: TN R7-DIV-31, 1/17/2017
Revised: TN R7-DIV-34, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Imports, Exports and Other International Activities

1. **AUTHORITY.** Pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, including Section 17 of FIFRA, and implementing regulations, the authorities to receive, review, and complete notifications of the arrival of pesticides and devices; request delivery of samples of pesticides or devices and all accompanying labeling and materials being imported or offered for importation into the United States; assist the Department of Homeland Security in giving notice, or give notice to the owner or consignee; and examine samples delivered by the Department of Homeland Security.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may be redelegated to the staff level.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically delegated.
5. **ADDITIONAL REFERENCES.**
 - a. 19 C.F.R. §§ 12.110–12.117 (U.S. Customs and Border Protection regulations for importing pesticides and devices).
 - b. 40 C.F.R. §§ 168.65–168.85 (Procedures for Exporting Pesticides).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-5-25

Issued: TN R7-DIV-31, 1/17/2017
Revised: TN R7-DIV-34, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Administering Oaths

1. **AUTHORITY.** Pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, including Section 22(a) of FIFRA, the authority to designate officers or employees of the U.S. Environmental Protection Agency to administer oaths and affirmations or to take affidavits, as granted by Congress to the Department of Agriculture in 1925 (43 Stat. 803 (Jan. 31, 1925); codified at 7 U.S.C. § 2217) and transferred to EPA pursuant to Reorganization Plan No. 3 of 1970.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-5-26**

Issued: TN R7-DIV-34, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Cooperation with Other Agencies

- 1. AUTHORITY.** To cooperate with Federal and State agencies in carrying out the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act, pursuant to Section 22(b) of FIFRA.
- 2. TO WHOM REDELEGATED.** This authority is redelegated from the director of the Land, Chemical & Redevelopment Division to the chief of the Tanks, Toxics & Pesticides Branch.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-5-29

Issued: TN R7-DIV-31, 1/17/2017
Revised: TN R7-DIV-34, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Contracting for Applicator Training with Federal Agencies

1. **AUTHORITY.** To perform the functions and responsibilities relative to contracting with Federal agencies for the purpose of encouraging the training of certified applicators, as set forth in the Federal Insecticide, Fungicide, and Rodenticide Act, including Section 23(b) of FIFRA.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of the Land, Chemical & Redevelopment Division to the chief of the Tanks, Toxics & Pesticides Branch.
3. **LIMITATIONS.** In the case of new contracts, when the chief of LCARD/TTPB begins negotiations with a field operation, he or she is to notify the assistant administrator for the Office of Chemical Safety and Pollution Prevention that such negotiations are underway.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-5-39

Issued: TN R7-DIV-31, 1/17/2017
Revised: TN R7-DIV-34, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

State Primary Enforcement Responsibility under FIFRA

1. **AUTHORITY.** To perform the functions and responsibilities under the Federal Insecticide, Fungicide, and Rodenticide Act relative to:
 - a. Executing primary enforcement responsibility for pesticide use violations in states that do not have primary enforcement responsibility for pesticide use violations, in accordance with FIFRA, including Section 26(c) of FIFRA; and
 - b. Referring any complaint or other information to the appropriate state officials for investigation, and acting upon the complaint or information if authorized, pursuant to the authority in FIFRA, including Section 27(a) of FIFRA.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch.
3. **LIMITATIONS.** The exercise of primary enforcement responsibility under paragraph 1.a. is subject to all limitations imposed on such authorities by any other applicable redelegation of authority.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Sections 26 and 27 of FIFRA.

- b. 40 C.F.R. Part 173 (Procedures Governing the Rescission of State Primary Enforcement Responsibility for Pesticide Use Violations).
- c. 48 Fed. Reg. 404 (Jan. 5, 1983), Federal Insecticide, Fungicide, and Rodenticide Act, State Primary Enforcement Responsibilities (Final Interpretive Rule).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-7-1

Issued: TN R7-DIV-33, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

State and Interstate Program and Planning Grants

- 1. AUTHORITY.** To approve grants pursuant to Sections 105 and 106 of the Clean Air Act.
- 2. TO WHOM REDELEGATED.** This authority is redelegated from the director of the Air & Radiation Division to the chief of the Air Quality Planning Branch.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. Part 35, Subpart A.
 - b. Delegation R7-1-14, "Assistance Agreements."
 - c. Per Memo, 12/4/1995, Director Air, RCRA, and Toxics Division to Acting Assistant Regional Administrator for Policy and Management, the following responsibilities for Award of Grants under this delegation is outlined as follows: On Programmatic Certification forms covering Section 105, the Division Director has been delegated as the Award Official, the Decision Official is the Branch Chief, and the Recommending Official is the Project Officer.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-7-6A

Issued: TN R7-DIV-33, 4/29/2019
Revised: TN R7-DIV-35, 3/2/2020

CHAPTER 7

CLEAN AIR ACT

Administrative Enforcement Actions Under Section 113: Issuance and Negotiations of Notices, Complaints and Orders, and Signing of Consent Agreements

1. AUTHORITY.

- a. To negotiate and confer with the alleged violator pursuant to the Clean Air Act; and
- b. To sign consent agreements memorializing settlements between the agency and respondents.

2. TO WHOM REDELEGATED.

- a. These authorities are redelegated from the director of the Enforcement & Compliance Assurance Division to the chiefs of the Air Branch and Chemical Branch.
- b. The authority in paragraph 1.b. is redelegated from the regional counsel to the chiefs of the Air Branch and Chemical Branch.

3. LIMITATIONS. The chiefs of ECAD/AB and ECAD/CB must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraph 1.b.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraph 1.a. may be redelegated to the staff level.
- b. The authority in paragraph 1.b. may not be redelegated.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 113(a), (d), and (e) of the Clean Air Act.
- b. Delegation 7-37, “Administrative Enforcement Actions: New Source Review Orders.”
- c. Delegation 7-49, “Emergency Administrative Powers.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-7-6B**

Issued: TN R7-DIV-33, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Administrative Enforcement Actions Under Section 113: Agency Representation in Hearings and Negotiation of Consent Agreements

1. AUTHORITY.

- a. To represent the Environmental Protection Agency in administrative proceedings conducted under the Clean Air Act;
- b. To negotiate consent agreements between the agency and respondents resulting from such enforcement actions; and
- c. To represent the agency in appeals from administrative determinations.

2. TO WHOM REDELEGATED.

- a. These authorities are redelegated from the regional counsel to the chief of the Air Branch.
- b. The authority in paragraph 1.b. is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Air Branch.

3. LIMITATIONS. None.

4. REDELEGATION AUTHORITY.

- a. These authorities may be redelegated to the staff level and no further.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. Section 113(d) of the Clean Air Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-7-8

Issued: TN R7-DIV-31, 1/17/2017
Revised: TN R7-DIV-35, 3/2/2020

CHAPTER 7

CLEAN AIR ACT

Inspections and Information Gathering

1. **AUTHORITY.** Pursuant to the Clean Air Act, including Sections 114 and 307 of the CAA, the authority to:
 - a. Enter, upon or through, the premises of any person who owns or operates an emission source, who manufactures emission control equipment or process equipment, who the Administrator believes may have information necessary for the purposes set forth in Section 114 of the CAA, or who is subject to any requirements of the CAA; and to enter premises where records required to be maintained under the CAA are located;
 - b. Have access, at reasonable times, to inspect and copy any records and inspect monitoring equipment or methods, which are required under the CAA; and to sample any emissions, which are required to be sampled under the CAA;
 - c. Require enhanced monitoring and submission of compliance certifications by any owner or operator of a major stationary source or any other person;
 - d. Require the owner or operator of any emission source, or a person who manufactures emission control equipment or process equipment, or any person who the Administrator believes may have information necessary for the purposes set forth in Section 114 of the CAA, or any person subject to any requirement of the CAA to: establish and maintain records; make reports; install, use, and maintain monitoring equipment and use audit procedures or methods; sample emissions; keep records on control equipment parameters, production variables, or other indirect data when direct monitoring of emissions is impractical; and provide other information as the Administrator may reasonably require;
 - e. Carry out any other inspection and information gathering activities authorized by the CAA; and
 - f. Require the carrying out of any other inspection and information gathering activities authorized

by the CAA;

- g. Designate representatives of the Administrator to perform the functions contained in paragraphs 1.a., 1.b., and 1.c.

2. TO WHOM REDELEGATED.

- a. These authorities are redelegated from the director of the Enforcement & Compliance Assurance Division to the chiefs of the Air Branch and the Chemical Branch.
- b. The authority in paragraphs 1.a., 1.b., 1.e., and 1.g. are redelegated from the director of the Air & Radiation Division to the chiefs of the Air Permitting & Compliance Branch and the Air Quality Planning Branch.

3. LIMITATIONS. None.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a., 1.b., and 1.e. may be redelegated to the staff level and no further.
- b. The authority in paragraphs 1.c., 1.d., 1.f., and 1.g. may not be redelegated.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 114(a) and (d) and 307(a) of the CAA.
- b. U.S. Environmental Protection Agency Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-7-11**

Issued: TN R7-DIV-33, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Grants and Cooperative Agreements for Investigations, Demonstrations, Surveys and Studies

- 1. AUTHORITY.** To approve grants and cooperative agreements with air pollution control agencies; other public or nonprofit private agencies and organizations; and individuals for investigations, demonstrations, surveys, and studies relating to the causes, effects, extent, prevention, and control of air pollution as authorized by subsection 103(b)(3) of the Clean Air Act.
- 2. TO WHOM REDELEGATED.** This authority is redelegated from the director of the Air & Radiation Division to the chief of the Air Quality Planning Branch.
- 3. LIMITATIONS.** Regional Senior Resource Officials must review and approve grants and cooperative agreements when total project costs are over \$1 million.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. Parts 30 and 31.
 - b. EPA Assistance Administration Manual.
 - c. Delegation R7-1-14, "Assistance Agreements."
 - d. Delegation 7-138, "Grants and Cooperative Agreements Under Section 112(1)(4) of the Clean Air Act for Development and Implementation of Programs."

- e. EPA Order 5700.1, "Policy for Distinguishing Between Assistance and Acquisition," March 22, 1994.
- f. EPA Order 1130.2A, "Senior Resource Officials and Resource Management Committee," November 6, 1995.
- g. Federal Grant and Cooperative Agreement Act, as amended, 31 U.S.C. § 6301.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-7-16**

Issued: TN R7-DIV-33, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Parts A and C of Title II of the CAA: Testing, Access and Entry

- 1. AUTHORITY.** Pursuant to the Clean Air Act, including Sections 206 and 208 of the CAA, the authority to:
 - a. Enter, at reasonable times, any plant or other establishment of such manufacturer for the purposes of conducting tests of vehicles or engines in the hands of the manufacturer, pursuant to Section 206(c)(1) of the CAA;
 - b. Inspect, at reasonable times, records, files, papers, processes, controls, and facilities used by such manufacturer in conducting tests under the regulations pursuant to Section 206(c)(2) of the CAA;
 - c. Have access to and copy records required by Section 208(a) of the CAA;
 - d. For the purposes of enforcement of Section 208 of the CAA, to: (1) enter, at reasonable times, any establishment of the manufacturer, or of any person whom the manufacturer engages to perform any activity required by Section 208(a), for the purposes of inspecting or observing any activity conducted pursuant to Section 208(a); and (2) to inspect records, files, papers, processes, controls, and facilities used in performing any activity required by Section 208(a) by such manufacturer or by any person whom the manufacturer engages to perform any such activity, or any other person subject to the requirements of Part A and Part B, pursuant to 208(a); and
 - e. Carry out any other inspection and information gathering activities authorized by Title II.
- 2. TO WHOM REDELEGATED.** These authorities are redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Air Branch, and from the director of the Air & Radiation Division to the chiefs of the Air Permitting & Standards Branch and the Air Quality Planning Branch.

3. LIMITATIONS. The authority in paragraph 1.d. does not include the authority to issue written information requests, which is reserved to the director of the Enforcement & Compliance Assurance Division and the director of the Air & Radiation Division.

4. REDELEGATION AUTHORITY.

- a. These authorities may be redelegated to the staff level and no further.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. 40 C.F.R. Parts 85, 86, 89-92, 94, 600, 1033, 1036, 1037, 1039, 1042, 1045, 1048, 1051, 1054, 1060, 1065 and 1068.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-7-17

Issued: TN R7-DIV-35, 3/2/2020

CHAPTER 7

CLEAN AIR ACT

Parts A and C of Title II of the CAA: Information Gathering

1. **AUTHORITY.** To require, pursuant to Section 208(a) of the Clean Air Act, manufacturers of new motor vehicles or new motor vehicle engines, manufacturers of new motor vehicle or engine parts or components, and other persons subject to the requirements of Part A or Part C of Title II of the Act to establish and maintain records, perform tests where reasonably available under Part A and Part C of Title II of the Act (including fees for testing), make reports, and provide information that may be reasonably required in order to (a) determine whether the manufacturer or other person has acted or is acting in compliance with Part A and Part C and the regulations thereunder, or (b) otherwise carry out the provisions of Part A and Part C and the regulations thereunder.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Air Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 40 C.F.R. Parts 79, 80, 85, 86, 89-92, 94, 600, 1033, 1036, 1037, 1039, 1042, 1045, 1048, 1051, 1054, 1060, 1065, and 1068.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-7-19**

Issued: TN R7-DIV-35, 3/2/2020

CHAPTER 7

CLEAN AIR ACT

Compromise, Remittance and Settlement of Administrative Penalties associated with Violations of Title II of the Clean Air Act

- 1. AUTHORITY.** Pursuant to Title II of the Clean Air Act, the authority to:
 - a. Compromise or remit administrative penalties, with or without conditions, which may be imposed pursuant to Sections 205(c), 211(d), and 213(d) of the CAA, for any violation under Sections 203, 211, and/or 213 of the CAA;
 - b. Determine the facts in conjunction with commencing an administrative penalty action and/or compromise or remittance of penalties;
 - c. Settle administrative penalty actions under Sections 205(c), 211(d), and/or 213(d); and
 - d. Take all associated actions pursuant to the CAA.
- 2. TO WHOM REDELEGATED.** This authority is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Air Branch.
- 3. LIMITATIONS.** The Administrator's authority to grant waivers under Section 211(f)(4) of the CAA or issue regulations under Section 211 of the CAA is not included in this redelegation.
- 4. REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.**

- a. For civil judicial actions see delegation R7-7-22A, “Civil Judicial Enforcement Actions, Including Collection Actions,” and 7-22D, “Emergency Temporary Retaliation Orders.”
- b. For civil administrative actions other than those under Title II, delegations R7-7-6A, R7-7-6B, and R7-7-6C.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-7-22A**

**Issued: TN R7-DIV-31, 1/17/2017
Revised: TN R7-DIV-33, 4/29/2019**

CHAPTER 7

CLEAN AIR ACT

Civil Judicial Enforcement Actions, Including Collection Actions

1. **AUTHORITY.** To appear and represent the agency in any Clean Air Act civil enforcement action where the Attorney General has refused or failed to appear and represent the agency, exclusive of appeals.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the regional counsel to the chiefs of the Air Branch and Chemical Branch in the Office of Regional Counsel.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to staff attorneys within the Office of Regional Counsel and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Memorandum of Understanding between the U.S. Environmental Protection Agency and the Department of Justice, June 1977, 42 Fed. Reg. 48942 (1977).
 - b. Direct referral agreement memorialized in letter of September 29, 1983, from Alvin L. Alm, Deputy Administrator, to F. Henry Habicht, Assistant Attorney General, regarding direct referrals; Sections 113(b), 204, 205, 302(a)(2), and 305 of the CAA.

- c. For referrals of requests for emergency CAA Temporary Restraining Orders, see the delegation R7-7-22D, “Emergency TROs.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-7-114

Issued: TN R7-DIV-8, 6/12/2001
Revised: TN R7-DIV-33, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Implementation of Operating Permits Program

1. AUTHORITY.

- a. To promulgate and administer the federal operating permits program under Title V of the Clean Air Act and 40 C.F.R. Part 71.
- b. To promulgate and administer the state, local, and tribal operating permits program under Title V of the CAA and 40 C.F.R. Part 70.

2. TO WHOM REDELEGATED.

These authorities are redelegated from the director of the Air & Radiation Division to the chief of the Air Permitting & Standards Branch.

3. LIMITATIONS.

- a. The Administrator retains the authority to respond to petitions objecting to the issuance of permits filed in accordance with Section 505(b)(2) of the CAA.
- b. The Administrator retains the authority to promulgate and revise nationally applicable provisions of the operating permits programs under 40 C.F.R. Parts 70 and 71.
- c. The Regional Administrator retains the following authorities:
 - i. Approving or disapproving state, local, and tribal operating permits programs and revisions, pursuant to subsection 502(d) of the CAA;
 - ii. Providing notice that a permitting authority is not adequately administering and enforcing a program, or portion thereof, in accordance with the criteria defined in 40 C.F.R. Part 70;
 - iii. Withdrawing approval of a state, local or tribal program, or portion thereof, under 40 C.F.R. Part 70; or

- iv. Promulgating a federal operating permits program for a state, local government, or tribe that varies from the nationally applicable federal program under 40 C.F.R. Part 71.
- d. The chief of ARD/APSB must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising these authorities.

4. REDELEGATION AUTHORITY.

- a. These authorities may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-7-117

Issued: TN R7-DIV-1, 7/25/1997
Revised: TN R7-DIV-33, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Approval of Site-Specific Test Plans

1. **AUTHORITY.** To approve or disapprove site-specific test plans submitted prior to conducting a required performance test pursuant to Section 112(d), 112(f), and 112(h) of the Clean Air Act.
2. **WHOM REDELEGATED.** This authority is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Air Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. § 63.7(c) and 40 C.F.R. § 63.7(d).
 - b. Section 112 of the Clean Air Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-7-118

Issued: TN R7-DIV-1, 7/25/1997
Revised: TN R7-DIV-33, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Construction and Reconstruction

1. **AUTHORITY.** To approve or disapprove applications for construction of new sources or reconstruction of existing sources applicable to National Emission Standards for Hazardous Air Pollutants under 40 C.F.R. Part 63 pursuant to Section 112(d), 112(f), 112(h) and 112(i) of the Clean Air Act. The approval of construction or reconstruction will be based on, among other things, 40 C.F.R. §§ 63.1 and 63.5.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of the Air & Radiation Division to the chief of the Air Permitting & Standards Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 112 of the CAA.
 - b. 40 C.F.R. § 63.5.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-7-119

Issued: TN R7-DIV-1, 7/25/1997
Revised: TN R7-DIV-33, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Performance Test

1. **AUTHORITY.** To approve the use of a reference method with minor changes in test methodology, to approve shorter sampling times and smaller sampling volumes when necessitated by process variables, to waive the requirements for a performance test pursuant to Section 111(f), 111(h), 112(d), 112(f), and 112(h) of the Clean Air Act, if the owner or operator of an affected source has demonstrated by other means that the affected source is in compliance.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of Air & Radiation Division to the chief of the Air Permitting & Standards Branch, and from the director of the Enforcement & Compliance Assurance Division to the chief of the Air Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. § 63.7(e)(2)(i), (e)(2)(iii), (e)(2)(iv), and (h).
 - b. 40 C.F.R. § 63.13(h)(1)(i) and (h)(1)(iii).
 - c. 40 C.F.R. § 60.8(b)(1), (b)(4), and (b)(5).
 - d. Section 111 of the Clean Air Act.

e. Section 112 of the Clean Air Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-7-120

Issued: TN R7-DIV-1, 7/25/1997
Revised: TN R7-DIV-33, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Approval of Site-Specific Performance Evaluation Test Plan

1. **AUTHORITY.** To approve or disapprove site-specific performance evaluation test plans submitted before conducting a required Continuous Monitoring System (CMS) performance evaluation pursuant to Section 112(d), 112(f) and 112(h) of the Clean Air Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of Air & Radiation Division to the chief of the Air Permitting & Standards Branch, and from the director of the Enforcement & Compliance Assurance Division to the chief of the Air Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. § 63.8(c)(1)(iii), (e)(1), and (e)(3).
 - b. Section 112 of the Clean Air Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-7-121

Issued: TN R7-DIV-1, 7/25/1997
Revised: TN R7-DIV-33, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Alternative Methods

1. **AUTHORITY.** To approve or disapprove alternatives to any monitoring methods required under 40 C.F.R. Part 60, 61 or 63 pursuant to Section 111(f), 111(h), 112(d), 112(f) and 112(h) of the Clean Air Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of Air & Radiation Division to the chief of the Air Permitting & Standards Branch, and from the director of the Enforcement & Compliance Assurance Division to the chief of the Air Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. § 60.8(b)(2) and (b)(3).
 - b. 40 C.F.R. § 61.13(h)(1)(ii).
 - c. 40 C.F.R. § 63.6(g), 40 C.F.R. § 63.7(e)(2)(ii), 40 C.F.R. § 63.7(f), and 40 C.F.R. § 63.8(f).
 - d. Section 111 of the Clean Air Act.
 - e. Section 112 of the Clean Air Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-7-122**

**Issued: TN R7-DIV-1, 7/25/1997
Revised: TN R7-DIV-33, 4/29/2019**

CHAPTER 7

CLEAN AIR ACT

Adjustments to Time Periods for Submitting Reports

1. **AUTHORITY.** To approve or disapprove an adjustment of a time period or postmark deadline for submittal of required information (without changing the frequency of reporting) pursuant to Section 112(d), 112(f) and 112(h) of the Clean Air Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of Air & Radiation Division to the chief of the Air Permitting & Standards Branch, and from the director of the Enforcement & Compliance Assurance Division to the chief of the Air Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. § 63.9(i) and 63.10(a).
 - b. Section 112 of the Clean Air Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-7-123

Issued: TN R7-DIV-1, 7/25/1997
Revised: TN R7-DIV-33, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Reduced Frequency of Reporting

1. **AUTHORITY.** To approve or disapprove a reduction in the frequency of reporting of excess emissions and continuous monitoring system performance (and summary) reports required to comply with a relevant standard (from quarterly, or more frequent, to semiannual) pursuant to Section 112(d), 112(f) and 112(h) of the Clean Air Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of Air & Radiation Division to the chief of the Air Permitting & Standards Branch, and from the director of the Enforcement & Compliance Assurance Division to the chief of the Air Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. § 63.10(e)(3)(ii) and (e)(3)(iii).
 - b. Section 112 of the Clean Air Act



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-7-124

Issued: TN R7-DIV-1, 7/25/2017
Revised: TN R7-DIV-33, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Waiver of Recordkeeping or Reporting Requirements

1. **AUTHORITY.** To approve or disapprove request to waive recordkeeping or reporting requirements pursuant to Section 112(d), 112(f) and 112(h) of the Clean Air Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of Air & Radiation Division to the chief of the Air Permitting & Standards Branch, and from the director of the Enforcement & Compliance Assurance Division to the chief of the Air Branch.
3. **LIMITATIONS.** Approval of any waiver shall not arrogate the Administrator's authority under the Act or in any way prohibit the Administrator from later canceling the waiver.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. § 63.10(f).
 - b. Section 112 of the Clean Air Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-7-125

Issued: TN R7-DIV-1, 7/25/1997
Revised: TN R7-DIV-33, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Implementation of the Early Reduction Rule

1. **AUTHORITY.** Per Early Reduction Rule established in 40 CFR 63, Subpart D and pursuant to Section 112(i) of the Clean Air Act, this authority includes: (a) to approve or disapprove enforceable commitments and emission reduction demonstrations submitted by participants in the Early Reductions Program; (b) to determine the compliance status of the approved enforceable commitments and to take appropriate enforcement actions; and (c) to grant compliance extensions to sources successfully demonstrating achieving qualifying early reductions of hazardous air pollutant emissions.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the director of the Air & Radiation Division to the chief of the Air Permitting & Standards Branch.
3. **LIMITATIONS.** The chief of ARD/APSB must consult with the regional counsel, or her or his designee, prior to exercising any of these authorities.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. §§ 63.71 – 63.81.
 - b. Section 112 of the Clean Air Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-7-126

Issued: TN R7-DIV-1, 7/25/1997
Revised: TN R7-DIV-33, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Issuance of Specialty Permits Under Early Reduction Program

1. **AUTHORITY.** To issue specialty Title V permits under 40 C.F.R. Part 71, Subpart B, and pursuant to Section 112(i) of the Clean Air Act, which establishes alternative emission limitations for sources that have successfully demonstrated achieving early reductions under the Early Reductions Program.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the director of the Air & Radiation Division to the chief of the Air Permitting & Standards Branch.
3. **LIMITATIONS.** The chief of ARD/APSB must consult with the regional counsel, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. § 71.21 – 71.27.
 - b. Section 112 of the Clean Air Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-7-127

Issued: TN DIV-1, 7/25/1997
Revised: TN R7-DIV-33, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Applicability Determinations

1. **AUTHORITY.** To issue determinations pertaining to applicability of a source to 40 C.F.R. Parts 60, 61, and 63 and pursuant to the Clean Air Act, including Sections 111(b), 111(d), 111(f), 111(h), 112(d), 112(f) and 112(h) of the CAA.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of Air & Radiation Division to the chief of the Air Permitting & Standards Branch, and from the director of the Enforcement & Compliance Assurance Division to the chief of the Air Branch.
3. **LIMITATIONS.** The chief of ARD/APSB and ECAD/AB must provide summaries and copies of the applicability determinations on a quarterly basis to the applicability determination index.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. §§ 60.5 and 61.06.
 - b. See "How to Review and Issue CAA Applicability Determinations and Alternative Monitoring (NSPS and NESHAPS)" manual and any superseding or related guidance documents.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-7-128

Issued: TN R7-DIV-1, 7/25/1997
Revised: TN R7-DIV-33, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Establishment of Monitoring Parameters to Demonstrate Compliance

1. **AUTHORITY.** To establish monitoring parameters, values, or levels, and procedures that are used to demonstrate compliance with standards that are promulgated at 40 C.F.R. Parts 63 and 65, and under Sections 111 and 112 of the CAA.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of Air & Radiation Division to the chief of the Air Permitting & Standards Branch, and from the director of the Enforcement & Compliance Assurance Division to the chief of the Air Branch.
3. **LIMITATIONS.** The assistant administrator for the Office of Enforcement and Compliance Assurance may exercise this authority in multi-regional cases or cases of national significance.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. §§ 63.463(f)(1)(ii), 63.453(g).
 - b. 40 C.F.R. § 65.63(d).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-7-148

Issued: TN R7-DIV-6, 5/8/2001
Revised: TN R7-DIV-33, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Provisions for the Prevention and Mitigation of Accidental Releases of Accidental Releases of Hazardous Chemicals Under Clean Air Act Section 112(r)

1. **AUTHORITY.** The authority to carry out the provisions of Clean Air Act Section 112(r) to be implemented by the Administrator, except as limited below. Those provisions concern the prevention and mitigation of accidental releases of substances listed pursuant to paragraph (3) of the Section or any other extremely hazardous substance. The authority being delegated includes, but is not limited to, the authority to provide program direction, guidance and support, issue general notices, as well as the authority to implement the regulations issued under Section 112(r)(7), including auditing Risk Management Plans and requiring revisions.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch.
3. **LIMITATIONS.** This authority may be exercised when an action principally involves or affects a specific facility, or State or local entity.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. Part 68 Chemical Accident Prevention Provisions, Subparts F, G, and H.
 - b. 1992 Presidential Review by EPA and National Response Team.
 - c. Public Law 106-40, Section 3.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-7-156

Issued: TN R7-DIV-31, 1/17/2017
Revised: TN R7-DIV-33, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Performance Test Rescheduling

1. **AUTHORITY.** To approve or disapprove performance test rescheduling pursuant to the Clean Air Act, including Sections 111, 112, 114 and 129 of the CAA and standards promulgated at 40 C.F.R. Parts 60, 61, 63, and 65.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of the Air & Radiation Division to the chief of the Air Permitting & Standards Branch, and from the director of the Enforcement & Compliance Assurance Division to the chief of the Air Branch.
3. **LIMITATIONS.** The assistant administrator for the Office of Enforcement and Compliance Assurance may exercise this authority in multi-regional cases and cases of national significance.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. 40 C.F.R. § 60.8(a)(1)-(4), 60.8(d).
 - b. 40 C.F.R. § 61.13(a)(3)-(6).
 - c. 40 C.F.R. §§ 63.7(a)(4), 63.7(b)(2).
 - d. 40 C.F.R. §§ 65.157(c)(1)(viii)-(xi), 65.164(b)(1).
 - e. Section 111(f) and (h) and Section 112(d), (f) and (h) of the CAA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-7-174**

Issued: TN R7-DIV-33, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Minor New Source Review Permits in Indian Country

- 1. AUTHORITY.** To take any action assigned to the U.S. Environmental Protection Agency Administrator necessary to fully implement the federal minor New Source Review program in Indian Country promulgated pursuant to 42 U.S.C. §§ 7601(a) and 7601(d)(4) and in accordance with 40 C.F.R. §§ 49.151-.161.
- 2. TO WHOM REDELEGATED.** This authority is redelegated from the director of the Air & Radiation Division to the chief of the Air Permitting & Standards Branch.
- 3. LIMITATIONS.** The chief of ARD/APSB must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-8-8**

**Issued: TN R7-DIV-1, 7/25/1997
Revised: TN R7-DIV-35, 3/2/2020**

Chapter 8

SOLID WASTE DISPOSAL ACT

Inspections and Information Gathering

- 1. AUTHORITY.** Pursuant to the Solid Waste Disposal Act, including Sections 3001 and 3007 of the SWDA, the authority to:
 - a. Enter, inspect, and obtain samples from any establishment or other place where hazardous or other wastes are or have been generated, stored, treated, disposed of or transported from; to inspect and have access to and copy all records related to such waste;
 - b. Request any establishment or other place where hazardous wastes are or have been generated, stored, treated, disposed of or transported from to furnish information relating to such waste;
 - c. Conduct monitoring and testing;
 - d. Carry out any other inspection and information gathering activities authorized by SWDA; and
 - e. Require the carrying out of any other inspection and information gathering activities authorized by the SDWA; and
 - f. Designate representatives of the Administrator to perform the functions specified in paragraphs 1.a., 1.b., 1.c., and 1.d..
- 2. TO WHOM REDELEGATED.**
 - a. These authorities are redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch.

- b. The authority in paragraphs 1.a., 1.c., 1.d., and 1.f. are redelegated from the director of the Land, Chemical & Redevelopment Division to the chief of the RCRA Oversight, Authorization Grants, & PCB Branch.

3. LIMITATIONS. None.

4. REDELEGATION AUTHORITY.

- a. The authorities in paragraphs 1.a., 1.c., and 1.d. may be redelegated to the staff level.
- b. The authority in paragraphs 1.b., 1.e., and 1.f. may not be redelegated.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 3001(b)(3)(B) and 3007 of the SWDA.
- b. See also Section 3013 of the SWDA for authority to require monitoring, testing, analysis and reporting.
- c. U.S. Environmental Protection Agency Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-8-9A**

**Issued: TN R7-DIV-1, 7/25/1997
Revised: TN R7-DIV-35, 3/2/2020**

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Administrative Enforcement: Negotiation of Consent Agreements

- 1. AUTHORITY.** Pursuant to the Solid Waste Disposal Act, the authority to:
 - a. Negotiate consent agreements memorializing settlements between the agency and Respondents; and
 - b. Sign consent agreements memorializing settlements between the agency and respondents.
- 2. TO WHOM REDELEGATED.**
 - a. The authority in paragraph 1.a. is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch, and from the regional counsel to the chief of the Chemical Branch.
 - b. The authority in paragraph 1.b. is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch.
- 3. LIMITATIONS.**
 - a. Regional personnel may exercise these authorities only for those cases initiated by the region.
 - b. The chief of ECAD/CB must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authorities in paragraphs 1.b.
- 4. REDELEGATION AUTHORITY.**
 - a. The authority in paragraph 1.a. may be redelegated to the staff level.
 - b. The authority in paragraph 1.b. may not be redelegated.

- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 3001(b)(3)(B)(iv) and 3008 (except 3008(h)) of the Solid Waste Disposal Act.
- b. Delegation 8-31, "Determination That There Is or Has Been a Release."
- c. Delegation R7-8-31, "Determination That There Is or Has Been a Release."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-8-9B**

**Issued: TN R7-DIV-15, 6/15/2005
Revised: TN R7-DIV-35, 3/2/2020**

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Administrative Enforcement: Agency Representation in Hearings

1. AUTHORITY.

- a. To represent the agency in administrative enforcement actions conducted under the Solid Waste Disposal Act and 5 U.S.C. § 554.
- b. To negotiate consent agreements between the agency and respondents resulting from such enforcement action; and
- c. To sign consent agreements between the agency and respondents resulting from such enforcement action;
- d. To represent the agency in an appeal from an administrative determination.

2. TO WHOM REDELEGATED.

- a. These authorities are redelegated from the regional counsel to the chief of the Chemical Branch.
- b. The authority in paragraphs 1.b. and 1.c. are redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch.

3. LIMITATIONS.

- a. Regional personnel may exercise this authority only for those cases initiated by the region.
- b. The chief of ECAD/CB must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraph 1.c.

4. REDELEGATION AUTHORITY.

- a. The authorities in paragraphs 1.a., 1.b., and 1.d. may be redelegated to the staff level and no further.
- b. The authority in paragraph 1.c. may not be redelegated.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-8-20

Issued: TN R7-DIV-31, 1/17/2017
Revised: TN R7-DIV-34, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Monitoring, Testing, Analysis, and Reporting

1. **AUTHORITY.** Pursuant to the Solid Waste Disposal Act, including Section 3013 of the SWDA, the authority to:
 - a. Make determinations that the presence of any hazardous waste at a facility or site at which hazardous waste is, or has been stored, treated or disposed of, or the release of any such waste from such facility or site may present a substantial hazard to human health or the environment;
 - b. Make determinations and findings regarding monitoring, testing, analysis and reporting;
 - c. Make determinations and findings that: the owner or operator of a facility or site not in operation when a determination that there may be a substantial hazard is made could not reasonably be expected to have actual knowledge of the presence of hazardous waste and its potential for release;
 - d. Issue orders to present and past owners and operators of facilities or sites requiring monitoring, testing, analysis and reporting; requiring proposals for carrying out required monitoring, testing, analysis and reporting; and requiring the carrying out of same in accordance with such proposals and such modifications as deemed reasonable by the Administrator;
 - e. Provide the owner or operator an opportunity to confer with EPA respecting a proposal for carrying out required monitoring, testing, analysis, or reporting;
 - f. Make determinations and findings that: no owner or operator is able to conduct monitoring, testing, analysis or reporting satisfactory to the Administrator; any such action carried out by an owner or operator is unsatisfactory; or, there is not an owner or operator referred to in Section 3013(a) or (b) of the SWDA who is able to conduct such monitoring, testing, analysis, and reporting;

- g. Conduct monitoring, testing, or analysis (or any combination thereof) and authorize a State or local authority or other person to carry out such activity;
- h. Order reimbursement for the costs of such monitoring, testing, or analysis activity after making the determinations in paragraphs 1.a., 1.b., 1.c., or 1.f., above; and
- i. Designate representatives of the Administrator to perform the functions to conduct monitoring, testing, or analysis (or any combination thereof) contained in paragraph 1.g.

2. TO WHOM REDELEGATED. These authorities are redelegated from the director of the Enforcement & Compliance Assurance division to the chief of the Chemical Branch, and from the director of the Land, Chemical & Redevelopment Division to the chief of the RCRA Oversight, Grants Authorization & PCB Branch.

3. LIMITATIONS. The chiefs of ECAD/CHEM and LCARD/ROAG must consult with and receive the concurrence of the regional counsel, or her or his designee, prior to exercising the authorities listed in paragraphs 1.a. through 1.f. and 1.h.

4. REDELEGATION AUTHORITY.

- a. The authorities listed in paragraphs 1.a. through 1.f., 1.h., and 1.i. may not be redelegated.
- b. The authority listed in paragraph 1.g. may be redelegated to the staff level.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Section 3013 of the SWDA.
- b. See also Section 3007 of the SWDA for additional information gathering authority.
- c. EPA Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-8-24**

**Issued: TN R7-DIV-31, 1/17/2017
Revised: TN R7-DIV-3, 3/2/2020**

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Inspections and Information Gathering (Subtitle I)

1. **AUTHORITY.** Pursuant to Subtitle I of the Solid Waste Disposal Act, as amended, including Section 9005 of the SWDA, the authority to:
 - a. Enter and inspect any establishment or other place where an underground storage tank (or any tank subject to study under Subtitle I that is used for storing regulated substances) is located; to inspect and have access to and copy all records relating to such tanks; to conduct monitoring and testing of such tanks, associated equipment, contents, or surrounding soils, air, surface water or ground water; and to inspect and obtain samples of any regulated substances contained in such tanks;
 - b. Issue an information request to the owner or operator of any establishment or other place where an underground storage tank (or any tank subject to study under Subtitle I that is used for storing regulated substances) is located to furnish information relating to such tanks, their associated equipment and contents and to conduct monitoring and testing;
 - c. Carry out any other inspection and information gathering activities authorized by Subtitle I of the SWDA;
 - d. Require the carrying out of any other inspection and information gathering activities authorized by Subtitle I of the SWDA; and
 - e. Designate representatives of the Administrator to perform the functions specified in paragraphs 1.a., 1.b., and 1.c.

2. TO WHOM REDELEGATED.

- a. These authorities are redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch.
- b. The authority in paragraphs 1.a. through 1.c. and 1.e. are redelegated from the director of the Land, Chemical & Redevelopment Division to the chief of the Tanks, Toxics & Pesticides Branch.

3. LIMITATIONS. None.

4. REDELEGATION AUTHORITY.

- a. The authorities listed in 1.a. and 1.c. may be redelegated to the staff level.
- b. The authority listed in 1.b., 1.d., and 1.e. may not be redelegated.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Section 9005 of the SWDA.
- b. U.S. Environmental Protection Agency Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-8-25

Issued: TN R7-DIV-1, 7/25/1997
Revised: TN R7-DIV-35, 3/2/2020

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Administrative Enforcement (Subtitle I)

- 1. AUTHORITY.** Pursuant to Subtitle I of the Solid Waste Disposal Act, as amended, the authority to:
 - a. Proffer field citations;
 - b. Take action under Section 9012 of the SWDA; and
 - c. Sign consent agreements memorializing settlements between the agency and respondents prior to filing an administrative complaint.
- 2. TO WHOM REDELEGATED.** These authorities are redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch.
- 3. LIMITATIONS.**
 - a. This authority does not include the authorities addressed in delegations R7-8-26 and R7-8-27.
 - b. The chief of ECAD/CB must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraphs 1.c.
 - c. The chief of ECAD/CB must consult with the assistant administrator for the Office of Enforcement & Compliance Assurance, or her or his designee, prior to exercising the authority in paragraph 1.b. at a Federal facility.
- 4. REDELEGATION AUTHORITY.**
 - a. The authority in paragraph 1.a. may be redelegated to the staff level and no further.
 - b. The authority in paragraphs 1.b. and 1.c. may not be redelegated.

- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Delegation 8-9-A, “Administrative Enforcement: Issuance of Complaints, Signing of Consent Agreements, etc.”
- b. Delegation 8-32, “Administrative Enforcement - Corrective Action Authority: Issuance of Orders and Signing of Consent Agreements.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-8-26**

**Issued: TN R7-DIV-34, 4/29/2019
Revised: TN R7-DIV-35, 3/2/2020**

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Administrative Enforcement: Agency Representation in Hearings (Subtitle I)

- 1. AUTHORITY.** Pursuant to Subtitle I of the Solid Waste Disposal Act, as amended, the authority to:
 - a. Represent the agency in administrative enforcement actions;
 - b. Negotiate consent agreements between the agency and respondents resulting from such enforcement actions;
 - c. Sign consent agreements between the agency and respondents resulting from such enforcement actions;
 - d. Represent the agency in such appeals pursuant to the SWDA; and
 - e. Assign appropriate personnel to perform the functions specified in paragraph 1.a.
- 2. TO WHOM REDELEGATED.**
 - a. These authorities are redelegated from the regional counsel to the chief of the Chemical Branch.
 - b. The authority in paragraphs 1.b. and 1.c. is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch.
- 3. LIMITATIONS.**
 - a. The chief of ECAD/CB must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraph 1.c.
 - b. The chiefs of ORC/CB and ECAD/CB must consult with the assistant administrator for the Office of Enforcement & Compliance Assurance, or her or his designee, prior to exercising the authority in paragraphs 1.a. through 1.d. with respect to enforcement at a Federal facility.

- c. The chiefs of ORC/CB and ECAD/CB may exercise these authorities only for those cases initiated by Region 7.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a., 1.b., and 1.d. may be redelegated to the staff level.
- b. The authority in paragraphs 1.c. and 1.e. may not be redelegated.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Section 9006 of the SWDA.
- b. Section 9003(h) of the SWDA.
- c. Delegation 8-9-B, “Administrative Enforcement” Agency Representation in Hearings and Signing of Consent Agreements.”
- d. Delegation 8-35, “Waivers/Modifications/Exemptions for Surface Impoundment Retrofitting Requirement.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-8-27

Issued: TN R7-DIV-34, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Administrative Enforcement: Issuance of Final Orders & Field Citations (Subtitle I)

1. **AUTHORITY.** Pursuant to Subtitle I of the Solid Waste Disposal Act, as amended, the authority to approve field citations.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch.
3. **LIMITATIONS.** This authority does not include the authorities addressed in Delegation 5-25.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 9006 of SWDA.
 - b. 40 C.F.R. Part 22.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-8-31**

**Issued: TN R7-DIV-31, 1/17/2017
Revised: TN R7-DIV-34, 4/29/2019**

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Determination That There Is or Has Been a Release

1. **AUTHORITY.** Pursuant to the Solid Waste Disposal Act, including Section 3008(h) of the SWDA, to make determinations that there is or has been a release of hazardous waste into the environment at a facility authorized to operate under Section 3005(e) of the SWDA.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch, and from the director of the Land, Chemical & Redevelopment Division to the chief of the RCRA Oversight, Authorization Grants & PCB Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 3008(h) of the SWDA.
 - b. See delegations titled:
 - i. "Administrative Enforcement—Corrective Action Authority: Issuance of Orders and Signing of Consent Agreements";
 - ii. "Administrative Enforcement—Corrective Action: Agency Representation in Hearings

- and Signing of Consent Agreements”;
- iii. “Administrative Enforcement—Agency Representation in Hearings and Signing of Consent Agreements”;
 - iv. “Civil Judicial Enforcement Actions”;
 - v. “Criminal Enforcement Actions”;
 - vi. “Settlement or Concurrence in Settlement of Civil Judicial Enforcement Actions”; and
 - vii. “Emergency TROs.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-8-32**

**Issued: TN R7-DIV-15, 6/15/2005
Revised: TN R7-DIV-34, 4/29/2019**

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Administrative Enforcement – Corrective Action Authority: Issuance of Orders and Signing of Consent Agreements

- 1. AUTHORITY.** Pursuant to Subtitle C, Section 3008(h) of the Solid Waste Disposal Act:
 - a. Issue orders requiring corrective action or other responses deemed necessary to protect human health or the environment; to issue orders which suspend or revoke authorization to operate under Section 3005(e) of SWDA;
 - b. Negotiate consent agreements memorializing settlements between the agency and respondents;
 - c. Sign consent agreements memorializing settlements between the agency and respondents; and
 - d. Represent the agency in administrative enforcement actions.
- 2. TO WHOM REDELEGATED.**
 - a. The authority in paragraphs 1.a., 1.b., and 1.c. is redelegated from the director of the Land, Chemical & Redevelopment Division to the chief of the RCRA Oversight, Authorization, Grants & PCB Branch.
 - b. The authority in paragraphs 1.b. and 1.d. are redelegated from the regional counsel to the chief of the Chemical Branch.
- 3. LIMITATIONS.**
 - a. Unless waived by memorandum, the director of LCARD and the regional counsel must obtain the concurrence of the assistant administrator for the Office of Enforcement & Compliance Assurance prior to exercising any of the above authorities.
 - b. The director of LCARD must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraphs 1.a. and 1.c.

- c. Regional personnel may only exercise these authorities for those cases initiated by the region.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a. and 1.c. may not be redelegated.
- b. The authority in paragraphs 1.b. and 1.d. may be redelegated to the staff level and no further.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Delegation 8-31, "Determination That There Is or Has Been a Release."
- b. Regional Delegation R7-8-31, "Determination That There Is or Has Been a Release."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-8-33

Issued: TN R7-DIV-34, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Performance of Federal Corrective Actions at Leaking Underground Storage Tanks

1. **AUTHORITY.** Pursuant to Subtitle I of the Solid Waste Disposal Act, as amended, the authority to enter property, and to perform corrective actions using Leaking Underground Storage Tank (LUST) Trust Fund funds.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of the Land, Chemical & Redevelopment Division to the chief of the RCRA Oversight, Authorization, Grants & PCB Branch.
3. **LIMITATIONS.**
 - a. The chief of LCARD/ROAG must obtain the concurrence of the director of the Office of Underground Storage Tanks, or her or his designee, prior to exercising this authority for any obligations up to \$250,000 or for any amendment that does not bring the total obligation above \$250,000.
 - b. The chief of LCARD/ROAG must obtain the concurrence of the assistant administrator of the Office of Land & Emergency Management, or her or his designee, prior to exercising this authority for any obligations above \$250,000 or for any amendment that brings the total obligation above \$250,000.
 - c. The chief of LCARD/ROAG may exercise this authority and must comply with Federal lead UST corrective action guidance issued by the AA for OLEM, or her or his designee, for emergency situations with obligations not exceeding \$50,000.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level and no further.

- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Superfund Removal directives.
- b. OLEM Dir. No. 9610.9A and subsequent amendments.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-8-500

Issued: R7-DIV-34, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Extension of Accumulation Time

- 1. AUTHORITY.** To grant an extension of the onsite accumulation time allowed to large quantity generators of hazardous waste without a permit by up to 30 days, as provided by 40 C.F.R. § 262.17(b) pursuant to Section 3002 of RCRA.
- 2. TO WHOM REDELEGATED.** This authority is redelegated from the chief of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch.
- 3. LIMITATIONS.** The chief of ECAD/CB must consult with the director of the Land, Chemical & Redevelopment Division, or her or his designee, prior to exercising this authority.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.**
 - a. Delegation 8-12, "Preliminary Notification Reports by Persons Generating, Transporting, or Treating Hazardous Waste."
 - b. "Hazardous Waste Generator Improvements Rule," 81 Fed. Reg. 85732, 85739 (Nov. 28, 2016).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-9-7A

Issued: TN R7-DIV-31, 1/17/2017
Revised: TN R7-DIV-34, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Part B, Public Water Systems: Notification, and Technical Assistance

- 1. AUTHORITY.** To perform the following functions relating to enforcement and technical assistance pursuant to the Safe Drinking Water Act, Part B:
 - a. Pursuant to Section 1414(a)(1)(A) of the SDWA, providing advice and technical assistance to the primacy State and public water system as may be appropriate to bring the system into compliance following a finding, made by the Regional Administrator or the director of the Water, Wetlands and Pesticides Division, that a public water system does not comply with any applicable requirements during a period in which a State has primary enforcement responsibility; and
 - b. Pursuant to Section 1414(f) of the SDWA, providing appropriate notice of and holding public hearings for the purpose of gathering information; issuing recommendations to a primacy State and public water system on the basis of such hearings; and making such recommendations available to the public and communications media.
- 2. TO WHOM REDELEGATED.** These authorities are redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Water Branch.
- 3. LIMITATIONS.** The chief of ECAD/WB must consult with the regional counsel and the director of the Water Division, or their designees, before exercising these authorities.
- 4. REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.

- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. 40 C.F.R. Parts 141 and 142.
- b. Guidance on PWS Administrative Order Procedures



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-9-7B**

**Issued: R7-DIV-31, 1/17/2017
Revised: R7-DIV-34, 4/29/2019**

CHAPTER 9

SAFE DRINKING WATER ACT

Part C, Underground Injection Control: Findings of Violation and Notification

- 1. AUTHORITY.** To perform the following functions relating to enforcement pursuant to the Safe Drinking Water Act, Part C, Underground Injection Control Program:
 - a. Pursuant to Section 1423(a)(1) of the SDWA, finding that a person is violating a requirement of an applicable underground injection control program during a period in which a State has primary enforcement responsibility for underground water sources, and notifying the primacy State and persons violating an underground injection control program requirement of such a finding; and
 - b. Pursuant to Section 1423(a)(2) of the SDWA, finding that a person is violating a requirement of an applicable underground injection control program during a period in which a State does not have primary enforcement responsibility for underground water sources.
- 2. TO WHOM REDELEGATED.**
 - a. These authorities are redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Water Branch.
 - b. The authority in paragraph 1.b. is redelegated from the director of the Water Division to the chief of the Groundwater & Drinking Water Branch.
- 3. LIMITATIONS.**
 - a. The chief of ECAD/WB must consult with the regional counsel and the director of the Water Division, or their designees, prior to exercising these authorities.
 - b. The chief of WD/GAD must consult with the regional counsel and the director of ECAD, or their designees, prior to exercising the authority in paragraph 1.b.

- c. The assistant administrator for the Office of Enforcement and Compliance Assurance may exercise these authorities in multi-regional cases and cases of national significance.

4. REDELEGATION AUTHORITY.

- a. These authorities may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. See delegations:
 - i. 9-16-A, “Civil Judicial Enforcement Actions”;
 - ii. 9-17, “Emergency Administrative Powers”; and
 - iii. 9-34, “Administrative Penalties and Compliance Orders With Administrative Penalties—Underground Injection.”
- b. EPA Guidance on UIC Administrative Order Procedures.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-9-12

Issued: TN R7-DIV-31, 1/17/2017
Revised: TN R7-DIV-35, 3/2/2020

CHAPTER 9

SAFE DRINKING WATER ACT

Inspections and Information Gathering

- 1. AUTHORITY.** Pursuant to the Safe Drinking Water Act, including Section 1445 of the SDWA, and implementing regulations, the authority to:
 - a. Perform the duties and responsibilities relative to reviewing records and conducting inspections;
 - b. Carry out any other inspection and information gathering activities authorized by the SDWA; and
 - c. Require the carrying out of any other inspection and information gathering activities authorized by the SDWA; and
 - d. Designate representatives of the Administrator to perform the functions specified in paragraphs 1.a. and 1.b.
- 2. TO WHOM REDELEGATED.**
 - a. These authorities are redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Water Branch.
 - b. The authority in paragraphs 1.a., 1.b., and 1.d. is redelegated from the director of the Water Division to the chief of the Groundwater & Drinking Water Branch.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. The authority in paragraphs 1.a. and 1.b. may be redelegated to the staff level.
 - b. The authority in paragraphs 1.c. and 1.d. may not be redelegated.

- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Section 1445 of the SDWA.
- b. U.S. Environmental Protection Agency Order 3510, “EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities.”
- c. 40 C.F.R. Parts 144, 146 and 147.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-9-16A**

Issued: TN R7-DIV-31, 1/17/2017

CHAPTER 9

SAFE DRINKING WATER ACT

Civil Judicial Enforcement Actions, Including Collection Actions

- 1. AUTHORITY.** To appear and represent the Agency in any Safe Drinking Water Act civil enforcement action where the Attorney General has refused or failed to appear and represent the Agency, exclusive of appeals.
- 2. TO WHOM REDELEGATED.** This authority is redelegated from the regional counsel to the chief of the Water Branch in the Office of Regional Counsel.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to staff attorneys within the Office of Regional Counsel.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.**
 - a. Memorandum of Understanding between the U.S. Environmental Protection Agency and the Department of Justice, June 1977, 42 Fed. Reg. 48942 (1977).
 - b. Direct referral agreement memorialized in letter of September 29, 1983, from Alvin L. Alm, Deputy Administrator, to F. Henry Habicht, Assistant Attorney General, regarding direct referrals; Sections 1414, 1423, 1431 and 1450(f) of SDWA.
 - c. For referrals of requests for emergency SDWA Temporary Restraining Orders, see delegation R7-9-16D, "Emergency TROs."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-9-32**

Issued: TN R7-DIV-34, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Administrative Enforcement Authority Under Part B: Representation in Hearings

- 1. AUTHORITY.** Pursuant to the Safe Drinking Water Act, Part B, the authority to represent the agency in a public hearing.
- 2. TO WHOM REDELEGATED.** This authority is redelegated from the regional counsel to the chief of the Water Branch.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to staff attorneys within the Office of Regional Counsel.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.**
 - a. Delegation 9-16-C, "Civil Judicial Enforcement Actions."
 - b. Delegation 9-17, "Emergency Administrative Powers."
 - c. Section 1414(a)(1)(A) and (B), (f), (g)(1) and (g)(2) of the SDWA.
 - d. Section 1445 of the SDWA.
 - e. Guidance on Headquarters Involvement in the Issuances by Regions of the First Proposed and Final Administrative Orders.
 - f. Guidance on PWS Administrative Order Procedures.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-9-33A

Issued: TN R7-DIV-34, 4/29/2019
Revised: TN R7-DIV-35, 3/2/2020

CHAPTER 9

SAFE DRINKING WATER ACT

Administrative Penalty Under Part B: Negotiating Consent Agreements

- 1. AUTHORITY.** Pursuant to the Safe Drinking Water Act, the authority to:
 - a. Negotiate consent agreements between the agency and respondents; and
 - b. Sign consent agreements negotiated between the agency and respondents.
- 2. TO WHOM REDELEGATED.**
 - a. The authority in paragraph 1.a. is redelegated from the regional counsel to the chief of the Water Branch, and from the director of the Enforcement & Compliance Assurance Division to the chief of the Water Branch.
 - b. The authority in paragraph 1.b. is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Water Branch.
- 3. LIMITATIONS.**
 - a. These authorities may only be exercised prior to the alleged violator's filing an answer or failure to file a timely answer to a complaint.
 - b. The chief of ECAD/WB may exercise the above authorities only for those cases initiated by Region 7.
 - c. The chief of ECAD/WB must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraphs 1.b.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level and no further.

- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Section 1414(g)(1) and (3) of the SDWA.
- b. Section 1445 of the SDWA.
- c. 40 C.F.R. Part 22.
- d. Guidance on Procedures for Assessing Civil Penalties in an Administrative Order pursuant to Section 1414(g)(3)(B) of the SDWA.
- e. Guidance on Headquarters Involvement in the Issuances by Regions of the First Proposed and Final Administrative Orders.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-9-33B**

**Issued: TN 28, 2/22/1988
Revised: TN R7-DIV-34, 4/29/2019**

CHAPTER 9

SAFE DRINKING WATER ACT

Administrative Penalty Under Part B: Agency Representation in the Hearings, Negotiating Consent Agreements

1. AUTHORITY.

- a. To represent EPA in civil penalty adjudications conducted under the penalty section of Part B of the Safe Drinking Water Act;
- b. To negotiate consent agreements between the agency and respondents resulting from such enforcement actions; and
- c. To represent the agency in such appeals.

2. TO WHOM REDELEGATED.

- a. The authorities are redelegated from the regional counsel to the chief of the Water Branch.
- b. The authority in paragraph 1.b. is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Water Branch.

3. LIMITATIONS.

- a. These authorities may only be exercised after the alleged violator either files an answer or fails to file a timely answer.
- b. Regional personnel may exercise the above authority only for those cases which were initiated by Region 7.

4. REDELEGATION AUTHORITY.

- a. These authorities may be redelegated to the staff level and no further.

- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Section 1414(g)(1) and (3) of the SDWA.
- b. Section 1445 of the SDWA.
- c. Guidance on Headquarters Involvement in the Issuances by Regions of the First Proposed and Final Administrative Orders.
- d. Guidance on Procedures for Assessing Civil Penalties in an Administrative Order Pursuant to Section 1414(g)(3)(B) of the SDWA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-9-35**

**Issued: TN R7-DIV-34, 4/29/2019
Revised: TN R7-DIV-35, 3/2/2020**

CHAPTER 9

SAFE DRINKING WATER ACT

Negotiation of Consent Agreements & Representation Under Section 1423(c)

- 1. AUTHORITY.** Pursuant to Section 1423(c) of the Safe Drinking Water Act, the authority to:
 - a. Represent the agency at hearings;
 - b. Negotiate consent agreements between the agency and respondents; and
 - c. Sign consent agreements between the agency and respondents.
- 2. TO WHOM REDELEGATED.**
 - a. The authority in paragraphs 1.a. and 1.b. is redelegated from the regional counsel to the chief of the Water Branch.
 - b. The authority in paragraphs 1.b. and 1.c. is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Water Branch.
- 3. LIMITATIONS.**
 - a. Regional personnel may exercise the above authority only for those cases initiated by Region 7.
 - b. The chief of ECAD/WB must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraph 1.c.
- 4. REDELEGATION AUTHORITY.**
 - a. The authority in paragraphs 1.a. and 1.b. may be redelegated to the staff level.
 - b. The authority in paragraph 1.c. may not be redelegated.

- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Memorandum, Redelegation from General Counsel, Issuance of Administrative Orders Under Section 1423(c) of the Safe Drinking Water Act.
- b. Guidance on Headquarters Involvement in the Issuances by Regions of the First Proposed and Final Administrative Orders.
- c. Section 1423(c)(3)(A) and (B) of the SDWA.
- d. Section 1423(c)(7) and (8) of the SDWA.
- e. 40 C.F.R. Parts 144, 146, and 147.
- f. Guidance on Underground Injection Control (UIC) Administrative Order Procedures.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-9-47

Issued: TN R7-DIV-34, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Administrative Penalty Actions Not to Exceed \$5,000

1. **AUTHORITY.** Pursuant to Section 1414(g)(3)(B) of the Safe Drinking Water Act, the authority to Represent the complainant before a presiding officer in an administrative penalty proceeding under the SDWA.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the regional counsel to the chief of the Water Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 1414(g)(3)(B) of the SDWA, 42 U.S.C. Section 300g-3, as amended by the 1996 Safe Drinking Water Act amendments.
 - b. Agency guidance or regulations governing administrative penalty actions under the SDWA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-9-62

Issued: TN R7-DIV-34, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Administrative Penalty Actions Against a Federal Agency for Violations of the Safe Drinking Water Act

1. **AUTHORITY.** Pursuant to Section 1447(b) of the Safe Drinking Water Act, as amended, the authority to negotiate consent orders memorializing settlements between the EPA and federal-agency respondents.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the regional counsel to the chief of the Water Branch, and from the director of the Enforcement & Compliance Assurance Division to the chief of the Water Branch.
3. **LIMITATIONS.** If the head of the affected department, agency, or instrumentality requests in writing a conference with the Administrator and serves a copy of the request on the parties of record within 30 days of the Environmental Appeals Board's service of the final order, a decision by the Administrator shall become the final order for the purposes of the SDWA.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 40 C.F.R. Part 22, Subparts A – H.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-9-74

Issued: TN R7-DIV-34, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Implementation of the Aircraft Drinking Water Rule

1. **AUTHORITY.** Pursuant to Subpart X of the National Primary Drinking Water Regulations, the authority to:
 - a. Receive reports and other information from air carriers under the reporting requirements of 40 C.F.R. § 141.806(a) through (c); and
 - b. Request and receive from air carriers copies of sampling plans and aircraft water system operations and maintenance plans, in accordance with 40 C.F.R. § 141.807(d) and (e).
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the director of the Water Division to the chief of the Groundwater & Drinking Water Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Sections 1412 and 1445 of the SDWA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-12-1

Issued: TN DIV-1, 7/25/1997
Revised: TN R7-DIV-35, 3/2/2020

CHAPTER 12

TOXIC SUBSTANCES CONTROL ACT

Inspections and Subpoenas

1. **AUTHORITY.** Pursuant to the Toxic Substances Control Act, including Section 11 of TSCA, the authority to:
 - a. Inspect any establishment, facility, or other premises in which chemical substances, mixtures, or articles containing chemical substances or mixtures, are manufactured, processed, stored, or held before or after their distribution in commerce, and any conveyance being used to transport chemical substances, mixtures, or such articles in connection with distribution in commerce;
 - b. Carry out any other inspection and information gathering activities authorized by the TSCA; and
 - c. Require the carrying out of any other inspection and information gathering activities authorized by the TSCA;
 - d. Require by subpoena the attendance and testimony of witnesses and the production of reports, papers, documents, answers to questions, and other information; and
 - e. Designate representatives of the Administrator to perform the functions in 1.a. and 1.b.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. The authority in paragraphs 1.a. and 1.b. may be redelegated to the staff level.
 - b. The authority listed in paragraphs 1.c., 1.d., and 1.e. may not be redelegated.

- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by an official in the chain of command down to the official to whom it has been specifically re-delegated.

5. ADDITIONAL REFERENCES.

- a. Sections 11(a)-(c) of TSCA.
- b. U.S. Environmental Protection Agency Order 3510, “EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-12-2A

Issued: TN R7-DIV-12, 9/23/2003
Revised: TN R7-DIV-35, 3/2/2020

CHAPTER 12

TOXIC SUBSTANCES CONTROL ACT

Administrative Enforcement: Negotiation of Consent Agreements

1. AUTHORITY.

- a. To negotiate consent agreements memorializing settlements between the agency and respondents; and
- b. To sign consent agreements memorializing settlements between the agency and respondents.

2. TO WHOM REDELEGATED.

- a. The authority in paragraph 1.a. is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch, and from the regional counsel to the chief of the Chemical Branch.
- b. The authority in paragraph 1.b. is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch.

3. LIMITATIONS.

- a. The chief of ECAD/CB must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraphs 1.b.
- b. The chiefs of ECAD/CB and ORC/CB must consult with the assistant administrator for the Office of Enforcement & Compliance Assurance, or her or his designee, before exercising any of the above authorities, unless such consultation is waived by memorandum.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraph 1.a. may be redelegated to the staff level.
- b. The authority in paragraph 1.b. may not be redelegated.

- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. Sections 15 and 16 of TSCA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-12-2B**

**Issued: TN R7-DIV-34, 4/29/2019
Revised: TN R7-DIV-35, 3/2/2020**

CHAPTER 12

TOXIC SUBSTANCES CONTROL ACT

Administrative Enforcement: Negotiation of Consent Agreements & Representation in Hearings

1. AUTHORITY.

- a. To represent EPA in civil penalty adjudications conducted under the Toxic Substances Control Act and 5 U.S.C. § 554;
- b. To negotiate consent agreements between the agency and respondents resulting from such enforcement actions;
- c. To sign consent agreements between the agency and respondents resulting from such enforcement actions; and
- d. To represent the agency in appeals from administrative determinations.

2. TO WHOM REDELEGATED.

- a. The authority in paragraphs 1.a., 1.b., and 1.d. are redelegated from the regional counsel to the chief of the Chemical Branch.
- b. The authority in paragraphs 1.b. and 1.c. is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch.

3. LIMITATIONS. The chief of ECAD/CB must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising the authority in paragraph 1.c.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a., 1.b., and 1.d. may be redelegated to the staff level.
- b. The authority in paragraph 1.c. may not be redelegated.

- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-12-5

Issued: TN R7-DIV-7, 6/7/2001
Revised: TN R7-DIV-34, 4/29/2019

CHAPTER 12

TOXIC SUBSTANCES CONTROL ACT

Management of Polychlorinated Biphenyls (PCBs)

1. **AUTHORITY.** Pursuant to regulations promulgated under section 6(e) of the Toxic Substances Control Act and codified in 40 C.F.R. Parts 750 and 761, the authority to:
 - a. Approve or disapprove a self-implementing cleanup of, or changes to an approved cleanup of, PCB remediation waste;
 - b. Approve requests to collect a surface sample from a natural gas pipe segment or pipeline section where the surface area is <100 cm²;
 - c. Waive notification of commencement of research and development for disposal activity or of self-implementing cleanup of PCB remediation waste;
 - d. Request or require information or data on the nature, location, and extent of PCB contamination;
 - e. Extend the limits on volume, concentration, or duration for PCB disposal activities and to extend the time limits for complying with PCB regulations, where the regulation specifically authorizes such extensions;
 - f. Approve changes in ownership or operational control of a commercial storage facility; and
 - g. Approve modifications to, or release owners or operators from closure plans for commercial storage facilities.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the director of the Land, Chemical & Redevelopment Division to the chief of the RCRA Oversight, Authorization Grants & PCB Branch.
3. **LIMITATIONS.** The chief of LCARD/ROAG may only exercise these authorities in regard to facilities that will operate or activities that will take place in Region 7.

4. REDELEGATION AUTHORITY.

- a. These authorities may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-12-33

Issued: TN R7-DIV-34, 4/29/2019

CHAPTER 12

TOXIC SUBSTANCES CONTROL ACT

Accreditation of Training Programs under Section 404

1. **AUTHORITY.** In States or Indian Country without authorized Accreditation and Certification Programs under Section 404 of the Toxic Substances Control Act, the authority to:
 - a. Grant or deny accreditation or re-accreditation to training programs offering courses in any of the following disciplines; lead inspector, lead risk assessor, lead supervisor, lead project designer, or lead abatement worker (40 C.F.R. § 745.225);
 - b. Grant or deny accreditation or re-accreditation to training programs offering courses in either of the following disciplines: renovator or dust sampling technician (40 C.F.R. § 45.225).
 - c. Suspend, revoke, or modify accreditation of training programs if the training program, training manager, or other person with supervisory authority over the training commits any of the acts identified in 40 C.F.R. § 745.225(g).
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the director of the Land, Chemical & Redevelopment Branch to the chief of the Tanks, Toxics & Pesticides Branch.
3. **LIMITATIONS.** Before exercising the authority in paragraph 1.b., the chief of LCARD/TTPB must consult with the assistant administrator for the Office of Chemical Safety & Pollution Prevention, unless and until such consultation requirement is waived by memorandum.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the level of branch chief and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Title X, the Housing and Community Development Act of 1992, Public Law 102-550 (also known as “The Residential Lead-Based Paint Hazard Reduction Act of 1992”), which amended the Toxic Substances Control Act (TSCA) (15 U.S.C. 2601) by adding Title IV – Lead Exposure Reduction.
- b. 40 C.F.R. Part 745.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-14-2

Issued: TN R7-DIV-34, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Response

1. **AUTHORITY.** Pursuant to Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act and 40 C.F.R. Part 300, "National Oil and Hazardous Substances Pollution Contingency Plan," the authority to determine the need for emergency response and to approve and initiate removal actions costing up to \$250,000 where site conditions constitute an emergency and up to \$50,000 where site conditions do not constitute an emergency.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of the Superfund & Emergency Management Division to the chief of the Assessment, Emergency Response & Removal Branch.
3. **LIMITATIONS.**
 - a. The chief of SEMD/AERR may exercise these authorities only at sites located within Region 7, unless there is a memorandum of agreement that authorizes cross-boundary emergency response.
 - b. Unless waived by memorandum, the assistant administrator for the Office of Land & Emergency Management must concur prior to the initiation of a removal action at non-NPL sites where the proposed action is on the List of Nationally Significant or Precedent-Setting Removal Action categories.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to On-Scene Coordinators and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. CERCLA §§ 101(23), 101(24), 105, 113, 116, 117, 118, 120, 121, and 126(b).
- b. 40 C.F.R. Part 35, Subpart O, “Cooperative Agreements and Superfund State Contracts for Superfund Response Actions.”
- c. Delegation 14-1, “Superfund State Contracts and Cooperative Agreements.”
- d. Delegation 14-17, “National Priorities List.”
- e. Delegation 14-22, “Response Action Administrative Record.”
- f. Delegation 14-30, “Acquisition of Property.”
- g. Limited Contracting Officer Warrant Authority issued to designated OSCs.
- h. “Use of Non-Time-Critical Removal Authority in Superfund Response Actions,” OSWER Dir. No. 9360.0-40P, February 14, 2000, specifying the Director, Office of Emergency and Remedial Response/OSWER will consult with the Director, Office of Site Remediation Enforcement/OECA prior to concurring on any engineering evaluation/cost analysis approval memorandum for a Fund-lead action that could exceed \$6 million.
- i. All other directives, policy, and guidance used by OSWER and OECA pertaining to response and consultation requirements.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-14-6

Issued: TN R7-DIV-1, 7/25/1997
Revised: TN R7-DIV-34, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Inspections, Sampling, Information Gathering, and Entry for Response

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, including Sections 104, 109, and 122 of CERCLA, the authority to:
 - a. Enter any vessel, facility, establishment, place, property or location for the purposes of inspections, sampling, information gathering and response actions;
 - b. Require the production of information and documents;
 - c. Carry out any inspections, sampling, information gathering authorized by CERCLA; and
 - d. Designate representatives of the Administrator to perform the functions specified in paragraphs 1.a. and 1.b.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the director of the Superfund & Emergency Management Division to the chiefs of the Assessment, Emergency Response & Removal Branch; Site Remediation Branch; and Lead Mining & Special Emphasis Branch.
 - a. These authorities are redelegated from the director of the Superfund & Emergency Management Division to the chiefs of the Assessment, Emergency Response & Removal Branch; Site Remediation Branch; and Lead Mining & Special Emphasis Branch.
 - b. The authority in paragraphs 1.a, 1.c., and 1.d. is redelegated from the director of the Land, Chemical & Redevelopment Division to the chief of the Brownfields, Sustainable Materials Management, P2 & Land Redevelopment Branch.
 - c. The authority in paragraphs 1.a., 1.c., and 1.d. is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch.

3. LIMITATIONS. The chief of ECAD/CB may only exercise these authorities as they pertain to investigations of violations under Section 103 of CERCLA.

4. REDELEGATION AUTHORITY.

- a. The authorities in paragraphs 1.a. and 1.c. may be redelegated to the staff level and no further.
- b. The authorities in paragraph 1.b. and 1.d. may not be redelegated.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Relegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 104(e), 109(a)-(b), and 122(e) of CERCLA.
- b. National Contingency Plan, 40 C.F.R. Part 300.
- c. U.S. Environmental Protection Agency Order 3510, “EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities.”
- d. Delegation 14-12, “Civil Judicial Enforcement Actions, Including Collection Actions.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-14-8B

Issued: TN R7-DIV-31, 1/17/2017
Revised: TN R7-DIV-34, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Studies and Investigations Related to Cost Recovery and Enforcement Decisions: Special Notice

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act as amended, including Sections 104 and 122 of CERCLA, the authority to make determinations as to the necessity and appropriateness of studies and investigations related to the recovery of response costs and the enforcement of the provision of this Act, and to undertake such studies and investigations; and to make decisions, determinations, findings, notifications and non-binding allocations of responsibility under Section 122 of CERCLA.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the director of the Superfund & Emergency Management Division to the chiefs of the Assessment, Emergency Response, & Removal Branch; Site Remediation Branch; and Lead Mining and Special Emphasis Branch.
3. **LIMITATIONS.** The chiefs of SEMD/AERR, SEMD/REMB, and SEMD/LMSE must obtain the concurrence of the regional counsel, or her or his designee, before exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Sections 106 and 107 of CERCLA.

- b. All applicable U.S. Environmental Protection Agency guidance and directives.
- c. See Delegation 14-6 for issuance of Section 104(e) requests.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-14-14F

Issued: R7-DIV-34, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Cost Recovery Arbitration

- 1. AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, the authority to represent EPA at cost recovery arbitration hearings, conferences, and negotiations.
- 2. TO WHOM REDELEGATED.** This authority is redelegated from the regional counsel to the chief of the Superfund Branch.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to staff attorneys within the Office of Regional Counsel.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.**
 - a. Section 104, 107, and 122(h)(2) of CERCLA.
 - b. Procedures for referral of cost recovery claims for resolution by arbitration and for representing EPA at arbitration hearings, conferences, and negotiations are published at 40 C.F.R. Part 304, Arbitration Procedures for Small Superfund Cost Recovery Claims.
 - c. Authority to enter into or exercise agency concurrence in non-judicial agreements or administrative orders for the recovery of response costs is delegated in 14-14-D, "Cost Recovery Non-Judicial Agreements and Administrative Consent Orders." Delegation 14-14-D

may become applicable in two situations under the arbitration regulation: (i) if the agency seeks to adopt a proposed arbitral decision as an administrative settlement pursuant to Section 122(h)(1) of CERCLA when the arbitration has been converted to a non-binding arbitration because costs increased to a dollar amount in excess of \$500,000, excluding interest, prior to the rendering of the final arbitral decision; or (ii) if the parties to the arbitration settle the claim as an administrative settlement pursuant to Section 122(h)(1) of CERCLA, rather than having the settlement embodied in a proposed arbitral decision. In either instance, if the total response costs at the facility exceed \$500,000, excluding interest, the agency may not compromise the claim without the prior written approval of the Attorney General.

- d. Authority to enter into or exercise agency concurrence in de minimis settlements under Section 122(g) of CERCLA is delegated in 14-14-E, “De Minimis Settlements.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-14-22**

Issued: R7-DIV-34, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Response Action Administrative Record

1. **AUTHORITY.** Pursuant to Section 113(k) and 117 of the Comprehensive Environmental Response, Compensation, and Liability Act and 40 C.F.R. Part 300, "National Oil and Hazardous Substances Pollution Contingency Plan" (NCP), the authority to:
 - a. Establish and make available an administrative record as the basis for the response action selection; and
 - b. Provide for public participation in developing the administrative record and adopting the response action.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the director of the Superfund & Emergency Management Division to the chiefs of the Site Remediation Branch, the Assessment, Emergency Response & Removal Branch, and the Lead Mining & Special Emphasis Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 113(k) of CERCLA.

- b. National Contingency Plan, 40 C.F.R. Part 300.
- c. All Agency policy, guidance, and regulations related to the administrative record requirements of CERCLA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-14-25

Issued: TN R7-DIV-31, 1/17/2017
Revised: TN R7-DIV-34, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Notification of Trustees

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, including Sections 104(b)(2), 107(f)(2)(B), and 122(j)(1) of CERCLA, the authority to notify appropriate federal and state natural resource trustees of:
 - a. Potential damages to natural resources resulting from releases of hazardous substances, pollutants, or contaminants, and to coordinate assessments, investigations, and planning with such trustees; and
 - b. Negotiations under Section 122(j)(1) of CERCLA related to such release, and to receive notice of designation of state trustees under Section 107(f)(2)(b) of CERCLA.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of the Superfund & Emergency Management Division to the chiefs of the Assessment, Emergency Response & Removal Branch; Site Remediation Branch; and Lead Mining & Special Emphasis Branch.
3. **LIMITATIONS.** The chiefs of SEMD/AERR, SEMD/REMB, and SEMD/LMSE must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Applicable U.S. Environmental Protection Agency guidance and directives.
- b. National Contingency Plan, 40 C.F.R. Part 300.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-14-31

Issued: TN DIV-12, 9/23/2003
Revised: TN R7-DIV-34, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Administrative Penalty Actions

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, the authority to negotiate consent agreements memorializing settlements under Section 109 of CERCLA between the agency and respondents.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the regional counsel to the chiefs of the Chemical Branch and Superfund Branch in the Office of Regional Counsel.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to staff attorneys.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-14-32**

Issued: R7-DIV-34, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Administrative Enforcement: Agency Representation at Hearings

- 1. AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, the authority to:
 - a. Represent the agency in administrative enforcement actions following issuance of administrative complaint or order under Section 109(a)(1)(A) of CERCLA and/or 5 U.S.C. § 554; and
 - b. Negotiate consent agreements between the agency and respondents resulting from such enforcement actions; and
- 2. TO WHOM REDELEGATED.** These authorities are redelegated from the regional counsel to the chief of the Superfund Branch.
- 3. LIMITATIONS.** This authority may only be exercised after the alleged violator files an answer or fails to file an answer within the appropriate timeframe.
- 4. REDELEGATION AUTHORITY.**
 - a. These authorities may be redelegated to the staff level and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.**
 - a. All applicable Agency guidance and directives.
 - b. Section 109 of CERCLA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-22-3A

Issued: TN DIV-13, 10/2/2003
Revised: TN R7-DIV-34, 4/29/2019

CHAPTER 22

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT

Administrative Penalty Actions

1. **AUTHORITY.** Pursuant to the Emergency Planning and Community Right-to-Know Act, the authority to designate representatives of the Administrator to conduct inspections.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch.
3. **LIMITATIONS.** The chief of ECAD must consult with the assistant administrator for the Office of Enforcement & Compliance Assurance, or her or his designee, prior to exercising this authority, unless such consultation is waived by memorandum.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Section 325 of EPCRA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-22-3B**

Issued: TN R7-DIV-34, 4/29/2019

CHAPTER 22

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT

Administrative Enforcement: Agency Representation in Hearings and Negotiations

1. **AUTHORITY.** Pursuant to the Emergency Planning and Community Right-to-Know Act, the authority to:
 - a. Represent EPA in civil administrative penalty adjudications conducted under EPCRA;
 - b. Negotiate consent agreements between the agency and respondents resulting from such enforcement actions; and
 - c. Represent the agency in such appeals.
2. **TO WHOM REDELEGATED.**
 - a. The authority in paragraphs 1.a., 1.b., and 1.d. are redelegated from the regional counsel to the chief of the Chemical Branch.
 - b. The authority in paragraph 1.b. is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may be redelegated to the staff level and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Section 325 of EPCRA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-DIV-22-4

Issued: TN R7-DIV-34, 4/29/2019

CHAPTER 22

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT

Provisions for Emergency Planning, Emergency Release Notification, and Informing the Public About Chemical Hazards in their Community Under EPCRA

1. **AUTHORITY.** Pursuant to Sections 302 through 312 of the Emergency Planning and Community Right-to-Know Act, the authority to provide program direction, guidance and support, issue general notices, and receive notifications from State Emergency Response Commissions (SERC) of facilities subject to the requirements under Section 302(d) of EPCRA.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of the Enforcement & Compliance Assurance Division to the chief of the Chemical Branch.
3. **LIMITATIONS.** Actions requiring rulemaking are retained by the Administrator.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Sections 302 through 312 of EPCRA.
 - b. 40 C.F.R. Parts 355, 370.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-23-3**

**Issued: TN R7-DIV-2, 6/18/1997
Revised: TN R7-DIV-34, 4/29/2019**

CHAPTER 23

ASBESTOS HAZARD EMERGENCY RESPONSE ACT

Approval of Asbestos Training Courses Accreditation Programs

1. **AUTHORITY.** Pursuant to Section 206 of the Toxic Substances Control Act, the authority to:
 - a. Grant full approval to initial and refresher training courses that have a prior contingent approval from EPA or approval from a state Program for purposes of accreditation under Section 206 of TSCA and to suspend, revoke or withdraw any of these approvals for a failure to comply.
 - b. Grant partial and full approval of state asbestos accreditation programs that comply with Section 206 of TSCA and to suspend, revoke, or withdraw any such approval for a failure to comply; and
 - c. Suspend or revoke the accreditation of any person who has obtained accreditation from an approved training provider or from a state accreditation program that complies with Section 206 of TSCA where such person is in violation of Unit I.G. of 40 C.F.R. Part 763, Appendix C to Subpart E.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the director of the Land, Chemical & Redevelopment Division to the chief of the Tanks, Toxics & Pesticides Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 206 of the Asbestos Hazard Emergency Response Act (AHERA).

- b. Section 15 of the Asbestos School Hazard Abatement Reauthorization Act (ASHARA).
- c. The Asbestos Model Accreditation Plan (40 C.F.R. Part 763, Appendix C to Subpart E).
- d. Delegation R7-23-2, “Approval of Asbestos, Training Courses and State Accreditation Programs.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-27-3**

Issued: TN R7-DIV-34, 4/29/2019

CHAPTER 27

INDOOR RADON ABATEMENT ACT

Grants Assistance to States for Radon Programs

1. **AUTHORITY.** To approve grants and cooperative agreements to States for the purpose of development and implementation of programs for the assessment and mitigation of radon pursuant to Section 306 of Title III (Indoor Radon Abatement) of the Toxic Substances Control Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of the Air & Radiation Division to the chief of the Air Quality Planning Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Agency grant regulations, 40 C.F.R. Parts 29, 31, and 32.
 - b. Delegation 1-14, "Assistance Agreements."
 - c. Section 36 of Title III of the Toxic Substance Control Act, Indoor Radon Abatement, 15 U.S.C. § 2666.

Note: Per Memo, 12/4/1995, Director, Air, RCRA and Toxics Division to Acting Assistant Regional Administrator for Policy and Management, the following responsibilities for Award of Grants under this delegation is outlined as follows:

On Programmatic Certification forms covering Section 306, the Division Director has been delegated as the Award Official, the Decision Official is the Branch Chief, and the Recommending Official is the Project Officer.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-27-4**

Issued: TN R7-DIV-34, 4/29/2019

CHAPTER 27

INDOOR RADON ABATEMENT ACT

Indian Radon Pilot Projects

1. **AUTHORITY.** To approve grants and cooperative agreements to the governing bodies of federally recognized Indian tribes, including Alaska Native Villages, and to inter-tribal Indian organizations, for development of radon pilot projects pursuant to Section 10(a) of the Toxic Substances Control Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of the Air & Radiation Division to the chief of the Air Quality Planning Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Agency grant regulations, 40 C.F.R. Parts 30, 31, 32, and 33.
 - b. Delegation 1-14, "Assistance Agreements."
 - c. Section 306 of Title III of Toxic Substances Control Act, Indoor Radon Abatement, 15 U.S.C. § 2666.

NOTE: Per Memo, 12/4/1995, Director, Air, RCRA and Toxics Division to Acting Assistant Regional Administrator for Policy and Management, the following responsibilities for Award of Grants under this delegation is outlined as follows:

On Programmatic Certification forms covering Section 10(a), the Division Director has been delegated as the Award Official, the Decision Official is the Branch Chief, and the Recommending Official is the Project Officer.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Divisional Delegations Manual
R7-DIV-27-5**

Issued: TN R7-DIV-34, 4/29/2019

CHAPTER 27

INDOOR RADON ABATEMENT ACT

Information Collection from States Under Assistance for Radon Programs

1. **AUTHORITY.** To request and receive from the State information, data, and reports necessary to make a determination of continuing State eligibility for assistance pursuant to Section 306 of Title III (Indoor Radon Abatement) of the Toxic Substances Control Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the director of the Air & Radiation Division to the chief of the Air Quality Planning Branch.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Agency grant regulations, 40 C.F.R. Parts 19, 31, and 32.
 - b. Section 306 of Title III of the Toxic Substances Control Act, Indoor Radon Abatement, 15 U.S.C. § 2666.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Branch Delegations Manual
R7-BR-2-13**

**Issued: TN R7-BR-1, 1/17/2017
Revised: TN R7-BR-2, 4/29/2019**

CHAPTER 2

CLEAN WATER ACT

Inspections and Information Gathering

1. **AUTHORITY.** Pursuant to the Clean Water Act, including Sections 308 and 311 of the CWA, the authority to:
 - a. Enter into, upon, or through any premises subject to the CWA, or in which records required to be maintained under the CWA are located; have access to and copy records; take samples, and inspect monitoring equipment and methods; and
 - b. Carry out any other inspection and information gathering activities authorized by the CWA.
2. **TO WHOM REDELEGATED.**
 - a. In the Enforcement & Compliance Assurance Division, these authorities are redelegated from the chief of the Water Branch to staff within ECAD/WB and the chief of the Industrial Section.
 - b. In the Water Division, these authorities are redelegated from the chief of the Permits & Loans Branch to staff within WD/PAL; from the chief of the Standards & Water Quality Branch to staff within WD/SAW and the chief of the Science & Modeling Section; and from the chief of the Watersheds & Grants Branch to staff within WD/WAG and the chief of the Grants & Resources Section.
 - c. In the Superfund & Emergency Management Division, these authorities are redelegated from the chief of the Assessment, Emergency Response & Removal Branch to staff within SEMD/AERR and the chiefs of the Response, Removal & Emergency Preparedness Section and the Response, Removal & Oil Planning Section.
3. **LIMITATIONS.** None.

4. REDELEGATION AUTHORITY.

- a. These authorities may be redelegated to the staff level.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 308 and 311 of the CWA, and regulations developed thereunder.
- b. U.S. Environmental Protection Agency Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-2-14A

Issued: TN R7-BR-1, 1/17/2017

CHAPTER 2

CLEAN WATER ACT

Civil Judicial Enforcement and Administrative Penalty Collection Actions

1. **AUTHORITY.** To appear and represent the Agency in any Clean Water Act civil enforcement action where the Attorney General has refused or failed to appear and represent the Agency, exclusive of appeals.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chiefs of the Superfund Branch and Water Branch to staff attorneys within the Office of Regional Counsel.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Memorandum of Understanding between the U.S. Environmental Protection Agency and the Department of Justice, June 1977, 42 Fed. Reg. 48942 (1977).
 - b. Direct referral agreement memorialized in letter of September 29, 1983, from Alvin L. Alm, Deputy Administrator, to F. Henry Habicht, Assistant Attorney General, regarding direct referrals; Sections 309, 311, 402(h), 504 and 506 of CWA.
 - c. For referrals of requests for emergency CWA Temporary Restraining Orders, see the delegation R7-2-14D, "Emergency TROs."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-2-22

Issued: TN 3, 7/5/1977
Revised: TN R7-BR-2, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Administrative Compliance Orders and Notices of Violation

1. **AUTHORITY.** Pursuant to Section 309(a) of the Clean Water Act, the authority to confer with persons to whom an order is issued.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief of the Water Branch of the Enforcement & Compliance Assurance Division to staff within ECAD/WB and the chief of the Industrial Section.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 40 C.F.R. Parts 122-125.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-2-52A

Issued: TN R7-BR-1, 1/17/2017
Revised: TN R7-BR-2, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Class II Administrative Penalty: Initiation of Action; Public Notice; Consultation with State; Negotiation and Signing of Consent Agreement; and Assessing Penalties

1. **AUTHORITY.** Pursuant to Sections 309(g) and 311 of the Clean Water Act, the authority to consult with States, as required.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief of the Water Branch in the Enforcement & Compliance Assurance Division to staff within ECAD/WB and the chief of the Industrial Section.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Sections 309(g) and 311 of the CWA.
 - b. Delegations 1-37, "Hearings," and 1-38, "Adjudicatory Proceedings."
 - c. 40 C.F.R. Part 22.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-2-52B

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Class II Administrative Penalty: Agency Representation in Hearings and Appeals

1. AUTHORITY.

- a. To represent EPA in Class II civil penalty adjudications conducted under Section 309(g) and 311(b) of the Clean Water Act; and
- b. To represent the agency in internal appeals from orders, rulings, or decisions entered in administrative proceedings under Section 309(g) and 311(b) of the CWA, whether or not initiated by the agency, and in proceedings initiated by commentors under Section 309(g)(4)(C) of the CWA.

2. TO WHOM REDELEGATED.

These authorities are redelegated from the chief of the Water Branch to staff attorneys within the Office of Regional Counsel.

3. LIMITATIONS.

None.

4. REDELEGATION AUTHORITY.

- a. These authorities may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Guidance on Headquarters Involvement in the Issuance by Regions of the First three Proposed and Final Class II Administrative Penalty Orders.
- b. 40 C.F.R. Part 22.

- c. Delegations 1-37 and 1-38, entitled “Hearings” and Adjudicatory Proceedings.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-2-86

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Facility Response Plans

1. **AUTHORITY.** Pursuant to Section 311(j)(5) of the Clean Water Act, as amended by the Oil Pollution Act of 1990:
 - a. To approve means to ensure the availability of private personnel and equipment to implement facility response plans for non-transportation-related onshore facilities;
 - b. To review and approve such plans for non-transportation-related onshore facilities under Section 4202(b)(4) of OPA; and
 - c. To authorize non-transportation-related onshore facilities to operate without approved response plans for non-transportation-related facilities under Section 311(j)(5)(F).
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the chief of the Assessment, Emergency Response & Removal Branch in the Superfund & Emergency Management Division to the chiefs of the Response, Removal, & Emergency Preparedness Section and the Response, Removal, & Oil Planning Section.
3. **LIMITATIONS.** The chiefs of SEMD/AERR/RREP and SEMD/AERR/RROP and must consult with the director of the Water Division, or her or his designee, prior to exercising the authority in paragraph 1.c.
4. **REDELEGATION AUTHORITY.**
 - a. The authority in paragraphs 1.a. and 1.b. may be redelegated to On-Scene Coordinators and no further.
 - b. The authority in paragraph 1.c. may not be redelegated.

- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-2-87

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Equipment Inspections

1. **AUTHORITY.** Pursuant to Section 311(j)(6)(A) of the Clean Water Act, as amended by the Oil Pollution Act of 1990, to require periodic inspections of containment booms and equipment used to remove discharges at non-transportation-related onshore facilities.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the chief of the Assessment, Emergency Response & Removal Branch in the Superfund & Emergency Management Division to the chiefs of the Response, Removal, & Emergency Preparedness Section and the Response, Removal, & Oil Planning Section.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to On-Scene Coordinators and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-2-88

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Tests of Facility Removal Capability

1. **AUTHORITY.** Pursuant to Section 311(j)(7) of the Clean Water Act, as amended by the Oil Pollution Act of 1990, to conduct periodic drills of removal capability under relevant response plans for facilities located in the inland zone.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the chief of the Assessment, Emergency Response & Removal Branch in the Superfund & Emergency Management Division to the chiefs of the Response, Removal, & Emergency Preparedness Section and the Response, Removal, & Oil Planning Section.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-2-89

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Removal of Discharge or Threat of Discharge under Section 311(c) of the Clean Water Act

1. **AUTHORITY.** Pursuant to Section 311(c) of the Clean Water Act, as amended by the Oil Pollution Act of 1990 (OPA), the authority to:
 - a. Remove or arrange for the removal of a discharge and to mitigate or prevent a substantial threat of a discharge;
 - b. Direct or monitor all Federal, State, and private actions;
 - c. Remove and, if necessary, destroy a vessel that is discharging or threatening to discharge;
 - d. Consult with affected trustees; and
 - e. Determine when the removal is complete.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the chief of the Assessment, Emergency Response & Removal Branch in the Superfund & Emergency Management Division to the chiefs of the Response, Removal, & Emergency Preparedness Section and the Response, Removal, & Oil Planning Section.
3. **LIMITATIONS.**
 - a. Section 1011 of the OPA limits the authority in paragraph 1.e. to cases that involve the discharge of oil.
 - b. The authority in paragraphs 1.a. through 1.d. must be exercised in accordance with the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) and appropriate Area Contingency Plans in order to ensure immediate and effective response.
 - c. The authority in paragraph 1.b. includes issuance of oral orders.

4. REDELEGATION AUTHORITY.

- a. These authorities may be redelegated to On-Scene Coordinators and no further.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-2-107

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Enforcement of the Standards for the Use or Disposal of Sewage Sludge in all EPA Regions

1. **AUTHORITY.** The authorities as specified in delegations 2-13, 2-14A, 2-52A, and 2-52B, pursuant to the Clean Water Act, as applied to conducting inspections, information gathering and enforcement of the Standards for the Use or Disposal of Sewage Sludge outside the geographic boundary of Region 7 on behalf of other regions as the National Biosolids Center of Excellence.
2. **TO WHOM REDELEGATED.** These authorities are redelegated to the same officials specifically designated in redelegations R7-BR-2-13, R7-BR-2-14A, R7-BR-2-52A, and R7-BR-2-52B.
3. **LIMITATIONS.**
 - a. These authorities will continue to apply in all EPA regions, however any region may refer a biosolids matter to Region 7 for further investigation and/or enforcement. Region 7 may accept or decline the referral.
 - b. These authorities must be exercised in the manner specified by redelegations R7-BR-2-13, R7-BR-2-14A, R7-BR-2-52A, and R7-BR-2-52B.
 - c. Before exercising these authorities for matters located in whole or in part outside of Region 7, the specific delegatee of such authority must consult with the regional administrator or designee of the affected region. A region may elect to waive this limitation, if it so wishes, by notifying Region 7 of such waiver in writing.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may or may not be redelegated to the same extent specified in redelegations R7-BR-2-13, R7-BR-2-14A, R7-BR-2-52A, and R7-BR-2-52B.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-5-4

Issued: TN R7-BR-1, 1/17/2017
Revised: TN R7-BR-2, 4/29/2017

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Use of Pesticides Under Experimental Use Permits

1. **AUTHORITY.** To perform the functions and responsibilities relative to supervision of the use of pesticides under Experimental Use Permits, and to determine the status of compliance with terms and conditions of Experimental Use Permits, as set forth in Section 5(c) of the Federal Insecticide, Fungicide, and Rodenticide Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief of the Tanks, Toxics & Pesticides Branch of the Land, Chemical & Redevelopment Division to staff within LCARD/TTPB.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-5-8

Issued: TN R7-BR-1, 1/17/2017
Revised: TN R7-BR-2, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Registration of Establishments

1. **AUTHORITY.** To perform the functions and responsibilities relative to the registration of establishments and the requesting and receipt of information related to establishments, as set forth in Section 7 of the Federal Insecticide, Fungicide, and Rodenticide Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief of the Tanks, Toxics & Pesticides Branch in the Land, Chemical & Redevelopment Division to staff within LCARD/TTPB.
3. **LIMITATIONS.** Authority to promulgate rules and regulations and to issue notices of proposed rulemaking implementing Section 7(c) of FIFRA is reserved to the Administrator.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 40 C.F.R. Part 167.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Branch Delegations Manual
R7-BR-5-9**

**Issued: TN R7-BR-1, 1/17/2017
Revised: TN R7-BR-2, 4/29/2019**

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Inspections and Information Gathering

1. **AUTHORITY.** Pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, including Sections 8 and 9 of FIFRA, the authority to:
 - a. Perform the Environmental Protection Agency functions and responsibilities relative to the inspection of books and records;
 - b. Perform the EPA functions and responsibilities relative to the inspection of establishments or other places where pesticides or devices are held for distribution or sale, or any place where there is being held any pesticides the registration of which has been suspended or canceled; and
 - c. Carry out any other inspection and information gathering activities authorized by FIFRA.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the chief of the Chemical Branch in the Enforcement & Compliance Assurance Division to staff within ECAD/CHEM; and from the chief of the Tanks, Toxics & Pesticides Branch in the Land, Chemical & Redevelopment Division to staff within LCARD/TTPB.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Sections 8 and 9 of FIFRA.

- b. U.S. Environmental Protection Agency Order 3510, “EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-5-13

Issued: TN R7-BR-1, 1/17/2017
Revised: TN R7-BR-2, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Disposition of Pesticides

1. **AUTHORITY.** To cooperate with a Federal District Court in the disposition of a condemned pesticide or device, as provided in the Federal Insecticide, Fungicide, and Rodenticide Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief of the Chemical Branch in the Enforcement & Compliance Assurance Division to staff within ECAD/CHEM; and from the chief of the Tanks, Toxics & Pesticides Branch in the Land, Chemical & Redevelopment Division to staff within LCARD/TTPB.
3. **LIMITATIONS.** Staff within ECAD/CHEM and LCARD/TTPB must consult with the director of the Superfund & Emergency Management Division, or her or his designee, and the regional counsel, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. The disposal of pesticides may implicate Solid Waste Disposal Act requirements. See Chapter 8 of this Delegations Manual.
 - b. Section 13(b)-(d) of FIFRA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-5-14

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE AND RODENTICIDE ACT

Administrative Enforcement: Negotiation of Consent Agreements

1. **AUTHORITY.** Pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, the authority to negotiate consent agreements memorializing settlements between the agency and respondents.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief of the Chemical Branch in the Enforcement & Compliance Assurance Division to staff within ECAD/CB, and from the chief of the Chemical Branch to staff attorneys within the Office of Regional Counsel.
3. **LIMITATIONS.** The staff of ECAD/CB and ORC must consult with the assistant administrator for the Office of Enforcement & Compliance Assurance, or her or his designee, in cases of national significance before exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Delegation R7-5-15A, "Administrative Enforcement: Agency Representation in Hearings and Signing of Consent Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-5-15A

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Administrative Enforcement: Negotiation of Consent Agreements & Representation in Hearings

1. AUTHORITY.

- a. To represent the agency in administrative enforcement actions conducted under the Federal Insecticide, Fungicide, and Rodenticide Act and 5 U.S.C. § 554;
- b. To negotiate consent agreements between the agency and respondents resulting from such enforcement actions; and
- c. To represent the agency in appeals from administrative determinations.

2. TO WHOM REDELEGATED.

- a. These authorities are redelegated from the chief of Chemical Branch to staff attorneys within the Office of Regional Counsel.
- b. The authority in paragraph 1.b. is redelegated from the chief of the Chemical Branch in the Enforcement & Compliance Assurance Division to staff within ECAD/CHEM.

3. LIMITATIONS. None.

4. REDELEGATION AUTHORITY.

- a. These authorities may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. Delegation R7-5-14, "Administrative Enforcement: Issuance of Complaints and Signing of Consent Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-5-19

Issued: TN R7-BR-1, 1/17/2017
Revised: TN R7-BR-2, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Imports, Exports and Other International Activities

1. **AUTHORITY.** Pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, including Section 17 of FIFRA, and implementing regulations, the authorities to receive, review, and complete notifications of the arrival of pesticides and devices; request delivery of samples of pesticides or devices and all accompanying labeling and materials being imported or offered for importation into the United States; assist the Department of Homeland Security in giving notice, or give notice to the owner or consignee; and examine samples delivered by the Department of Homeland Security.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the chief of the Chemical Branch in the Enforcement & Compliance Assurance Division to staff within ECAD/CHEM.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically delegated.
5. **ADDITIONAL REFERENCES.**
 - a. 19 C.F.R. §§ 12.110–12.117 (U.S. Customs and Border Protection regulations for importing pesticides and devices).
 - b. 40 C.F.R. §§ 168.65–168.85 (Procedures for Exporting Pesticides).



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-5-26

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 5

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Cooperation with Other Agencies

1. **AUTHORITY.** To cooperate with Federal and State agencies in carrying out the provisions of the Federal Insecticide, Fungicide, and Rodenticide Act, pursuant to Section 22(b) of FIFRA.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief of the Tanks, Toxics & Pesticides Branch in the Land, Chemical & Redevelopment Division to staff within LCARD/TTPB.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-7-6A

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Administrative Enforcement Actions Under Section 113: Issuance and Negotiations of Notices, Complaints and Orders, and Signing of Consent Agreements

1. **AUTHORITY.** To negotiate and confer with the alleged violator pursuant to the Clean Air Act.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief of the Air Branch in the Enforcement & Compliance Assurance Division to staff within ECAD/AB, and from the chief of the Air Branch to staff attorneys within the Office of Regional Counsel.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Sections 113(a), (d), and (e) of the Clean Air Act.
 - b. Delegation 7-37, "Administrative Enforcement Actions: New Source Review Orders."
 - c. Delegation 7-49, "Emergency Administrative Powers."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Branch Delegations Manual
R7-BR-7-6B**

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Administrative Enforcement Actions Under Section 113: Agency Representation in Hearings and Negotiation of Consent Agreements

1. AUTHORITY.

- a. To represent the Environmental Protection Agency in administrative proceedings conducted under the Clean Air Act;
- b. To negotiate consent agreements between the agency and respondents resulting from such enforcement actions; and
- c. To represent the agency in appeals from administrative determinations.

2. TO WHOM REDELEGATED.

- a. These authorities are redelegated from the chief of Air Branch to staff attorneys within the Office of Regional Counsel.
- b. The authority in paragraph 1.b. is redelegated from the chief of the Air Branch in the Enforcement & Compliance Assurance Division to staff within ECAD/AIR.

3. LIMITATIONS. None.

4. REDELEGATION AUTHORITY.

- a. These authorities may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. Section 113(d) of the Clean Air Act.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Branch Delegations Manual
R7-BR-7-8**

**Issued: TN R7-BR-1, 1/17/2017
Revised: TN R7-BR-2, 4/29/2019**

CHAPTER 7

CLEAN AIR ACT

Inspections and Information Gathering

1. **AUTHORITY.** Pursuant to the Clean Air Act, including Sections 114 and 307 of the CAA, the authority to:
 - a. Enter, upon or through, the premises of any person who owns or operates an emission source, who manufactures emission control equipment or process equipment, who the Administrator believes may have information necessary for the purposes set forth in Section 114 of the CAA, or who is subject to any requirements of the CAA; and to enter premises where records required to be maintained under the CAA are located;
 - b. Have access, at reasonable times, to inspect and copy any records and inspect monitoring equipment or methods, which are required under the CAA; and to sample any emissions, which are required to be sampled under the CAA; and
 - c. Carry out any other inspection and information gathering activities authorized by the CAA.
2. **TO WHOM REDELEGATED.**
 - a. In the Air & Radiation Division, these authorities are redelegated from the chief of the Air Permitting & Compliance Branch to staff within ARD/APSB; and from the chief of the Air Quality Planning Branch to the chiefs of the Atmospheric Programs Section and the Community Partnership Program Section.
 - b. In the Enforcement & Compliance Assurance Division, these authorities are redelegated from the chief of the Air Branch to staff within ECAD/AB and from the chief of the Chemical Branch to staff within ECAD/CB.
3. **LIMITATIONS.** None.

4. REDELEGATION AUTHORITY.

- a. These authorities may be redelegated to the staff level and no further.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 114(a) and (d) and 307(a) of the CAA.
- b. U.S. Environmental Protection Agency Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Branch Delegations Manual
R7-BR-7-16**

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Parts A and C of Title II of the CAA: Testing, Access and Entry

- 1. AUTHORITY.** Pursuant to the Clean Air Act, including Sections 206 and 208 of the CAA, the authority to:
 - a. Enter, at reasonable times, any plant or other establishment of such manufacturer for the purposes of conducting tests of vehicles or engines in the hands of the manufacturer, pursuant to Section 206(c)(1) of the CAA;
 - b. Inspect, at reasonable times, records, files, papers, processes, controls, and facilities used by such manufacturer in conducting tests under the regulations pursuant to Section 206(c)(2) of the CAA;
 - c. Have access to and copy records required by Section 208(a) of the CAA;
 - d. For the purposes of enforcement of Section 208 of the CAA, to: (1) enter, at reasonable times, any establishment of the manufacturer, or of any person whom the manufacturer engages to perform any activity required by Section 208(a), for the purposes of inspecting or observing any activity conducted pursuant to Section 208(a); and (2) to inspect records, files, papers, processes, controls, and facilities used in performing any activity required by Section 208(a) by such manufacturer or by any person whom the manufacturer engages to perform any such activity, or any other person subject to the requirements of Part A and Part B, pursuant to 208(a); and
 - e. Carry out any other inspection and information gathering activities authorized by Title II.
- 2. TO WHOM REDELEGATED.**
 - a. In the Air & Radiation Division, these authorities are redelegated from the chief of the Air Permitting & Standards Branch to staff within ARD/PSB; and from the chief of the Air Quality Planning Branch to the chiefs of the Atmospheric Programs Section and the Community Partnership Programs Section.

- b. In the Enforcement & Compliance Assurance Division, these authorities are redelegated from the chief of the Air Branch to staff within ECAD/AB.

3. LIMITATIONS. The authority in paragraph 1.d. does not include the authority to issue written information requests, which is reserved to the director of the Enforcement & Compliance Assurance Division and the director of the Air & Radiation Division.

4. REDELEGATION AUTHORITY.

- a. These authorities may be redelegated to the staff level and no further.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. 40 C.F.R. Parts 85, 86, 89-92, 94, 600, 1033, 1036, 1037, 1039, 1042, 1045, 1048, 1051, 1054, 1060, 1065 and 1068.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Branch Delegations Manual
R7-BR-7-22A**

**Issued: TN R7-BR-1, 1/17/2017
Revised: TN R7-BR-2, 4/29/2019**

CHAPTER 7

CLEAN AIR ACT

Civil Judicial Enforcement Actions, Including Collection Actions

1. **AUTHORITY.** To appear and represent the agency in any Clean Air Act civil enforcement action where the Attorney General has refused or failed to appear and represent the agency, exclusive of appeals.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chiefs of the Air Branch and the Chemical Branch to staff attorneys within the Office of Regional Counsel.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Memorandum of Understanding between the U.S. Environmental Protection Agency and the Department of Justice, June 1977, 42 Fed. Reg. 48942 (1977).
 - b. Direct referral agreement memorialized in letter of September 29, 1983, from Alvin L. Alm, Deputy Administrator, to F. Henry Habicht, Assistant Attorney General, regarding direct referrals; Sections 113(b), 204, 205, 302(a)(2), and 305 of the CAA.
 - c. For referrals of requests for emergency CAA Temporary Restraining Orders, see the delegation R7-7-22D, "Emergency TROs."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Branch Delegations Manual
R7-BR-8-8**

**Issued: TN R7-BR-1, 1/17/2017
Revised: TN R7-BR-2, 4/29/2019**

Chapter 8

SOLID WASTE DISPOSAL ACT

Inspections and Information Gathering

- 1. AUTHORITY.** Pursuant to the Solid Waste Disposal Act, including Sections 3001 and 3007 of the SWDA, the authority to:
 - a. Enter, inspect, and obtain samples from any establishment or other place where hazardous or other wastes are or have been generated, stored, treated, disposed of or transported from; to inspect and have access to and copy all records related to such waste;
 - b. Conduct monitoring and testing; and
 - c. Carry out any other inspection and information gathering activities authorized by the SWDA.
- 2. TO WHOM REDELEGATED.**
 - a. These authorities are redelegated from the chief of the RCRA Oversight, Authorization, Grants, & PCB Branch in the Land, Chemical & Redevelopment Division to staff within LCARD/ROAG and the chief of the RCRA Direct Implementation Section.
 - b. These authorities are redelegated from the chief of the Chemical Branch in the Enforcement & Compliance Assurance Division to staff within ECAD/CB
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. These authorities may be redelegated to the staff level.

- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 3001(b)(3)(B) and 3007 of the SWDA.
- b. See also Section 3013 of the SWDA for authority to require monitoring, testing, analysis and reporting.
- c. U.S. Environmental Protection Agency Order 3510, “EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-8-9A

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Administrative Enforcement: Negotiation of Consent Agreements

1. **AUTHORITY.** Pursuant to the Solid Waste Disposal Act, the authority to negotiate consent agreements memorializing settlements between the agency and respondents.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief of the Chemical Branch to the chief of the RCRA Section in the Enforcement & Compliance Assurance Division, and from the chief of the Chemical Branch to staff attorneys within the Office of Regional Counsel.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Sections 3001(b)(3)(B)(iv) and 3008 (except 3008(h)) of the Solid Waste Disposal Act.
 - b. Delegation 8-31, "Determination That There Is or Has Been a Release."
 - c. Delegation R7-8-31, "Determination That There Is or Has Been a Release."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Branch Delegations Manual
R7-BR-8-9B**

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Administrative Enforcement: Agency Representation in Hearings

1. AUTHORITY.

- a. To represent the agency in administrative enforcement actions conducted under the Solid Waste Disposal Act and 5 U.S.C. § 554.
- b. To negotiate consent agreements between the agency and respondents resulting from such enforcement action; and
- c. To represent the agency in an appeal from an administrative determination.

2. TO WHOM REDELEGATED.

- a. These authorities are redelegated from the chief of Chemical Branch to staff attorneys within the Office of Regional Counsel.
- b. The authority in paragraph 1.b. is redelegated from the chief of the Chemical Branch to the chief of the RCRA Section in the Enforcement & Compliance Assurance Division.

3. LIMITATIONS. Regional personnel may exercise this authority only for those cases initiated by the region.

4. REDELEGATION AUTHORITY.

- a. The authority in paragraphs 1.a. and 1.c. may not be redelegated.
- b. The authority in paragraph 1.b. may be redelegated to the staff level and no further.
- c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-8-20

Issued: TN R7-BR-1, 1/17/2017
Revised: TN R7-BR-2, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Monitoring, Testing, Analysis, and Reporting

1. **AUTHORITY.** Pursuant to the Solid Waste Disposal Act, including Section 3013 of the SWDA, the authority to conduct monitoring, testing, or analysis (or any combination thereof) and authorize a State or local authority or other person to carry out such activity.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief of the Chemical Branch in the Enforcement & Compliance Assurance Division to staff within ECAD/CB, and from the chief of the RCRA Oversight, Authorization, Grants & PCB Branch in the Land, Chemical & Redevelopment Division to staff within LCARD/ROAG and the chief of the RCRA Direct Implementation Section.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may be redelegated to the staff level and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 3013 of the SWDA.
 - b. See also Section 3007 of the SWDA for additional information gathering authority.
 - c. EPA Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-8-24

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Inspections and Information Gathering (Subtitle I)

1. **AUTHORITY.** Pursuant to Subtitle I of the Solid Waste Disposal Act, as amended, including Section 9005 of the SWDA, the authority to:
 - a. Enter and inspect any establishment or other place where an underground storage tank (or any tank subject to study under Subtitle I that is used for storing regulated substances) is located; to inspect and have access to and copy all records relating to such tanks; to conduct monitoring and testing of such tanks, associated equipment, contents, or surrounding soils, air, surface water or ground water; and to inspect and obtain samples of any regulated substances contained in such tanks; and
 - b. Carry out any other inspection and information gathering activities authorized by Subtitle I of the SWDA.
2. **TO WHOM REDELEGATED.**
 - a. These authorities are redelegated from the chief of the Tanks, Toxics & Pesticides Branch in the Land, Chemical & Redevelopment Division to staff within LCARD/TTPB and the chief of the Tanks & Lead-Based Paint Section.
 - b. These authorities are redelegated from the chief of the Chemical Branch in the Enforcement & Compliance Assurance Division to staff within ECAD/CHEM.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may be redelegated to the staff level.

- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Section 9005 of the SWDA.
- b. U.S. Environmental Protection Agency Order 3510, “EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-8-25

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Administrative Enforcement (Subtitle I)

1. **AUTHORITY.** Pursuant to Subtitle I of the Solid Waste Disposal Act, as amended, the authority to proffer field citations.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief of the Chemical Branch of the Enforcement & Compliance Assurance Division to staff within ECAD/CB.
3. **LIMITATIONS.**
 - a. This authority does not include the authorities addressed in delegations R7-8-26 and R7-8-27.
 - b. The staff of ECAD/CB must consult with the assistant administrator for the Office of Enforcement & Compliance Assurance, or her or his designee, prior to exercising this authority at a Federal facility.

REDELEGATION AUTHORITY.

- a. This authority may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

4. ADDITIONAL REFERENCES.

- a. Delegation 8-9-A, "Administrative Enforcement: Issuance of Complaints, Signing of Consent Agreements, etc."
- b. Delegation 8-32, "Administrative Enforcement - Corrective Action Authority: Issuance of Orders and Signing of Consent Agreements."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-8-26

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Administrative Enforcement: Agency Representation in Hearings (Subtitle I)

- 1. AUTHORITY.** Pursuant to Subtitle I of the Solid Waste Disposal Act, as amended, the authority to:
 - a. Represent the agency in administrative enforcement actions;
 - b. Negotiate consent agreements between the agency and respondents resulting from such enforcement actions; and
 - c. Represent the agency in such appeals pursuant to the SWDA.
- 2. TO WHOM REDELEGATED.**
 - a. These authorities are redelegated from the chief of the Chemical Branch to staff attorneys within the Office of Regional Counsel.
 - b. The authority in paragraph 1.b. is redelegated from the chief of the Chemical Branch of the Enforcement & Compliance Assurance Division to staff within ECAD/CB.
- 3. LIMITATIONS.**
 - a. The staff of ORC/CB and ECAD/CB must consult with the assistant administrator for the Office of Enforcement & Compliance Assurance, or her or his designee, prior to exercising these authorities with respect to enforcement at a Federal facility.
 - b. The staff of ORC/CB and ECAD/CB may exercise these authorities only for those cases initiated by Region 7.
- 4. REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.

- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Section 9006 of the SWDA.
- b. Section 9003(h) of the SWDA.
- c. Delegation 8-9-B, “Administrative Enforcement” Agency Representation in Hearings and Signing of Consent Agreements.”
- d. Delegation 8-35, “Waivers/Modifications/Exemptions for Surface Impoundment Retrofitting Requirement.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-8-32

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Administrative Enforcement – Corrective Action Authority: Representation and Negotiation of Consent Agreements

1. **AUTHORITY.** Pursuant to Subtitle C, Section 3008(h) of the Solid Waste Disposal Act, the authority to:
 - a. Negotiate consent agreements memorializing settlements between the agency and respondents; and
 - b. Represent the agency in administrative enforcement actions.
2. **TO WHOM REDELEGATED.**
 - a. The authority in paragraph 1.a. is redelegated from the chief of the Chemical Branch to staff within the Office of Regional Counsel, and from the chief of the RCRA Oversight, Authorization, Grants & PCB Branch of the Land, Chemical & Redevelopment Division to staff within LCARD/ROAG and the chief of the RCRA Direct Implementation Section.
 - b. The authority in paragraph 1.d. is redelegated from the chief of the Chemical Branch to staff within the Office of Regional Counsel.
3. **LIMITATIONS.**
 - a. Unless waived by memorandum, the chief of LCARD/ROAG/RDIS, staff attorneys, and staff within LCARD/ROAG must obtain the concurrence of the assistant administrator for the Office of Enforcement & Compliance Assurance prior to exercising any of these authorities.
 - b. Regional personnel may only exercise these authorities for those cases initiated by the region.

4. REDELEGATION AUTHORITY.

- a. These authorities may be redelegated to the staff level and no further.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Delegation 8-31, "Determination That There Is or Has Been a Release."
- b. Regional Delegation R7-8-31, "Determination That There Is or Has Been a Release."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-8-33

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Performance of Federal Corrective Actions at Leaking Underground Storage Tanks

1. **AUTHORITY.** Pursuant to Subtitle I of the Solid Waste Disposal Act, as amended, the authority to enter property, and to perform corrective actions using Leaking Underground Storage Tank (LUST) Trust Fund funds.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief of the RCRA Oversight, Authorization, Grants & PCB Branch of the Land, Chemical & Redevelopment Division to staff within LCARD/ROAG and the chief of the RCRA Direct Implementation Section.
3. **LIMITATIONS.**
 - a. The chief of LCARD/ROAG/RDIS and staff within LCARD/ROAG must obtain the concurrence of the director of the Office of Underground Storage Tanks, or her or his designee, prior to exercising this authority for any obligations up to \$250,000 or for any amendment that does not bring the total obligation above \$250,000.
 - b. The chief of LCARD/ROAG/RDIS and staff within LCARD/ROAG must obtain the concurrence of the assistant administrator of the Office of Land & Emergency Management, or her or his designee, prior to exercising this authority for any obligations above \$250,000 or for any amendment that brings the total obligation above \$250,000.
 - c. The chief of LCARD/ROAG/RDIS and staff within LCARD/ROAG may exercise this authority and must comply with Federal lead UST corrective action guidance issued by the AA for OLEM, or her or his designee, for emergency situations with obligations not exceeding \$50,000.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level and no further.

- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Superfund Removal directives.
- b. OLEM Dir. No. 9610.9A and subsequent amendments.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Branch Delegations Manual
R7-BR-9-12**

**Issued: TN R7-BR-1, 1/17/2017
Revised: TN R7-BR-2, 4/29/2019**

CHAPTER 9

SAFE DRINKING WATER ACT

Inspections and Information Gathering

1. **AUTHORITY.** Pursuant to the Safe Drinking Water Act, including Section 1445 of the SDWA, and implementing regulations, the authority to:
 - a. Perform the duties and responsibilities relative to reviewing records and conducting inspections; and
 - b. Carry out any other inspection and information gathering activities authorized by the SDWA.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the chief of the Water Branch of the Enforcement & Compliance Assurance Division to staff within ECAD/WB, and from the chief of the Groundwater & Drinking Water Branch of the Water Division to staff within WD/GAD.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 1445 of the SDWA.
 - b. U.S. Environmental Protection Agency Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."
 - c. 40 C.F.R. Parts 144, 146 and 147.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Branch Delegations Manual
R7-BR-9-16A**

Issued: TN R7-BR-1, 1/17/2017

CHAPTER 9

SAFE DRINKING WATER ACT

Civil Judicial Enforcement Actions, Including Collection Actions

- 1. AUTHORITY.** To appear and represent the Agency in any Safe Drinking Water Act civil enforcement action where the Attorney General has refused or failed to appear and represent the Agency, exclusive of appeals.
- 2. TO WHOM REDELEGATED.** This authority is redelegated from the chief of the Water Branch to staff attorneys within the Office of Regional Counsel.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.**
 - a. Memorandum of Understanding between the U.S. Environmental Protection Agency and the Department of Justice, June 1977, 42 Fed. Reg. 48942 (1977).
 - b. Direct referral agreement memorialized in letter of September 29, 1983, from Alvin L. Alm, Deputy Administrator, to F. Henry Habicht, Assistant Attorney General, regarding direct referrals; Sections 1414, 1423, 1431 and 1450(f) of SDWA.
 - c. For referrals of requests for emergency SDWA Temporary Restraining Orders, see delegation R7-9-16D, "Emergency TROs."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-9-32

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Administrative Enforcement Authority Under Part B: Representation in Hearings

1. **AUTHORITY.** Pursuant to the Safe Drinking Water Act, Part B, the authority to represent the agency in a public hearing.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief of the Water Branch to staff attorneys within the Office of Regional Counsel.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Delegation 9-16-C, "Civil Judicial Enforcement Actions."
 - b. Delegation 9-17, "Emergency Administrative Powers."
 - c. Section 1414(a)(1)(A) and (B), (f), (g)(1) and (g)(2) of the SDWA.
 - d. Section 1445 of the SDWA.
 - e. Guidance on Headquarters Involvement in the Issuances by Regions of the First Proposed and Final Administrative Orders.
 - f. Guidance on PWS Administrative Order Procedures.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-9-33A

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Administrative Penalty Under Part B: Negotiating Consent Agreements

1. **AUTHORITY.** Pursuant to the Safe Drinking Water Act, the authority to negotiate consent agreements between the agency and respondents.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief of the Water Branch to staff attorneys within the Office of Regional Counsel, and from the chief of the Water Branch in the Enforcement & Compliance Assurance Division to staff within ECAD/WB.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 1414(g)(1) and (3) of the SDWA.
 - b. Section 1445 of the SDWA.
 - c. 40 C.F.R. Part 22.
 - d. Guidance on Procedures for Assessing Civil Penalties in an Administrative Order pursuant to Section 1414(g)(3)(B) of the SDWA.
 - e. Guidance on Headquarters Involvement in the Issuances by Regions of the First Proposed and Final Administrative Orders.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

**Branch Delegations Manual
R7-BR-9-33B**

**Issued: TN 28, 2/22/1988
Revised: TN R7-BR-2, 4/29/2019**

CHAPTER 9

SAFE DRINKING WATER ACT

Administrative Penalty Under Part B: Agency Representation in the Hearings, Negotiating Consent Agreements

1. AUTHORITY.

- a. To represent EPA in civil penalty adjudications conducted under the penalty section of Part B of the Safe Drinking Water Act;
- b. To negotiate consent agreements between the agency and respondents resulting from such enforcement actions; and
- c. To represent the agency in such appeals.

2. TO WHOM REDELEGATED.

- a. The authorities are redelegated from the chief of the Water Branch to staff attorneys within the Office of Regional Counsel.
- b. The authority in paragraph 1.b. is redelegated from the chief of the Water Branch of the Enforcement & Compliance Assurance Division to staff within ECAD/WB.

3. LIMITATIONS.

- a. These authorities may only be exercised after the alleged violator either files an answer or fails to file a timely answer.
- b. Regional personnel may exercise the above authority only for those cases which were initiated by Region 7.

4. REDELEGATION AUTHORITY.

- a. These authorities may be redelegated to the staff level and no further.

- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Section 1414(g)(1) and (3) of the SDWA.
- b. Section 1445 of the SDWA.
- c. Guidance on Headquarters Involvement in the Issuances by Regions of the First Proposed and Final Administrative Orders.
- d. Guidance on Procedures for Assessing Civil Penalties in an Administrative Order Pursuant to Section 1414(g)(3)(B) of the SDWA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-9-35

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Negotiation of Consent Agreements & Representation Under Section 1423(c)

1. **AUTHORITY.** Pursuant to Section 1423(c) of the Safe Drinking Water Act, the authority to:
 - a. Represent the agency at hearings; and
 - b. Negotiate consent agreements between the agency and respondents.
2. **TO WHOM REDELEGATED.**
 - a. These authorities are redelegated from the chief of the Water Branch to staff attorneys within the Office of Regional Counsel.
 - b. The authority in paragraph 1.b. is redelegated from the chief of the Water Branch of the Enforcement & Compliance Assurance Division to staff within ECAD/WB.
3. **LIMITATIONS.** Regional personnel may exercise the above authority only for those cases initiated by Region 7.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Memorandum, Redelegation from General Counsel, Issuance of Administrative Orders Under Section 1423(c) of the Safe Drinking Water Act.

- b. Guidance on Headquarters Involvement in the Issuances by Regions of the First Proposed and Final Administrative Orders.
- c. Section 1423(c)(3)(A) and (B) of the SDWA.
- d. Section 1423(c)(7) and (8) of the SDWA.
- e. 40 C.F.R. Parts 144, 146, and 147.
- f. Guidance on Underground Injection Control (UIC) Administrative Order Procedures.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Divisional Delegations Manual
R7-BR-9-47

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Administrative Penalty Actions Not to Exceed \$5,000

1. **AUTHORITY.** Pursuant to Section 1414(g)(3)(B) of the Safe Drinking Water Act, the authority to Represent the complainant before a presiding officer in an administrative penalty proceeding under the SDWA.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief of the Water Branch to staff attorneys within the Office of Regional Counsel.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 1414(g)(3)(B) of the SDWA, 42 U.S.C. Section 300g-3, as amended by the 1996 Safe Drinking Water Act amendments.
 - b. Agency guidance or regulations governing administrative penalty actions under the SDWA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-9-62

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 9

SAFE DRINKING WATER ACT

Administrative Penalty Actions Against a Federal Agency for Violations of the Safe Drinking Water Act

1. **AUTHORITY.** Pursuant to Section 1447(b) of the Safe Drinking Water Act, as amended, the authority to negotiate consent orders memorializing settlements between the EPA and federal-agency respondents.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief of the Water Branch to staff attorneys within the Office of Regional Counsel, and from the chief of the Water Branch of the Enforcement & Compliance Assurance Division to staff within ECAD/WB.
3. **LIMITATIONS.** If the head of the affected department, agency, or instrumentality requests in writing a conference with the Administrator and serves a copy of the request on the parties of record within 30 days of the Environmental Appeals Board's service of the final order, a decision by the Administrator shall become the final order for the purposes of the SDWA.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 40 C.F.R. Part 22, Subparts A – H.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-12-1

Issued: TN R7-BR-1, 1/17/2017
Revised: TN R7-BR-2, 4/29/2019

CHAPTER 12

TOXIC SUBSTANCES CONTROL ACT

Inspections and Subpoenas

1. **AUTHORITY.** Pursuant to the Toxic Substances Control Act, including Section 11 of TSCA, the authority to:
 - a. Inspect any establishment, facility, or other premises in which chemical substances, mixtures, or articles containing chemical substances or mixtures, are manufactured, processed, stored, or held before or after their distribution in commerce, and any conveyance being used to transport chemical substances, mixtures, or such articles in connection with distribution in commerce; and
 - b. Carry out any other inspection and information gathering activities authorized by the TSCA;
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the chief of the Chemical Branch of the Enforcement & Compliance Assurance Division to staff within ECAD/CB.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by an official in the chain of command down to the official to whom it has been specifically re-delegated.
5. **ADDITIONAL REFERENCES.**
 - a. Sections 11(a)-(c) of TSCA.

- b. U.S. Environmental Protection Agency Order 3510, “EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-12-2A

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 12

TOXIC SUBSTANCES CONTROL ACT

Administrative Enforcement: Negotiation of Consent Agreements

1. **AUTHORITY.** To negotiate consent agreements memorializing settlements between the agency and respondents.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief of the Chemical Branch in the Enforcement & Compliance Assurance Division to staff within ECAD/CB and to the chief of the RCRA Section, and from the chief of the Chemical Branch to staff attorneys within the Office of Regional Counsel.
3. **LIMITATIONS.** The chief of ECAD/CB/RCRA, staff of ECAD/CB, and staff attorneys within ORC must consult with the assistant administrator for the Office of Enforcement & Compliance Assurance, or her or his designee, before exercising this authority, unless such consultation is waived by memorandum.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Sections 15 and 16 of TSCA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-12-2A

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 12

TOXIC SUBSTANCES CONTROL ACT

Administrative Enforcement: Agency Representation in Hearings

1. AUTHORITY.

- a. To represent EPA in civil penalty adjudications conducted under the Toxic Substances Control Act and 5 U.S.C. § 554;
- b. To negotiate consent agreements between the agency and respondents resulting from such enforcement actions; and
- c. To represent the agency in appeals from administrative determinations.

2. TO WHOM REDELEGATED.

- a. These authorities are redelegated from the chief of Chemical Branch to staff attorneys within the Office of Regional Counsel.
- b. The authority in paragraph 1.b. is redelegated from the chief of the Chemical Branch in the Enforcement & Compliance Assurance Division to staff within ECAD/CB and to the chief of the RCRA Section.

3. LIMITATIONS. None.

4. REDELEGATION AUTHORITY.

- a. These authorities may be redelegated to the staff level and no further.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-14-2

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Response

1. **AUTHORITY.** Pursuant to Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act and 40 C.F.R. Part 300, "National Oil and Hazardous Substances Pollution Contingency Plan," the authority to determine the need for emergency response and to approve and initiate removal actions costing up to \$250,000 where site conditions constitute an emergency and up to \$50,000 where site conditions do not constitute an emergency.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the chief of the Assessment, Emergency Response & Removal Branch in the Superfund & Emergency Management Division to the chiefs of the Response, Removal, & Emergency Preparedness Section and the Response, Removal, & Oil Planning Section.
3. **LIMITATIONS.**
 - a. The chiefs of SEMD/AERR/RREP and SEMD/AERR/RROP may exercise these authorities only at sites located within Region 7, unless there is a memorandum of agreement that authorizes cross-boundary emergency response.
 - b. Unless waived by memorandum, the assistant administrator for the Office of Land & Emergency Management must concur prior to the initiation of a removal action at non-NPL sites where the proposed action is on the List of Nationally Significant or Precedent-Setting Removal Action categories.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to On-Scene Coordinators and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. CERCLA §§ 101(23), 101(24), 105, 113, 116, 117, 118, 120, 121, and 126(b).
- b. 40 C.F.R. Part 35, Subpart O, “Cooperative Agreements and Superfund State Contracts for Superfund Response Actions.”
- c. Delegation 14-1, “Superfund State Contracts and Cooperative Agreements.”
- d. Delegation 14-17, “National Priorities List.”
- e. Delegation 14-22, “Response Action Administrative Record.”
- f. Delegation 14-30, “Acquisition of Property.”
- g. Limited Contracting Officer Warrant Authority issued to designated OSCs.
- h. “Use of Non-Time-Critical Removal Authority in Superfund Response Actions,” OSWER Dir. No. 9360.0-40P, February 14, 2000, specifying the Director, Office of Emergency and Remedial Response/OSWER will consult with the Director, Office of Site Remediation Enforcement/OECA prior to concurring on any engineering evaluation/cost analysis approval memorandum for a Fund-lead action that could exceed \$6 million.
- i. All other directives, policy, and guidance used by OSWER and OECA pertaining to response and consultation requirements.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-14-6

Issued: TN R7-BR-1, 1/17/2017
Revised: TN R7-BR-2, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Inspections, Sampling, Information Gathering, and Entry for Response

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, including Sections 104, 109, and 122 of CERCLA, the authority to:
 - a. Enter any vessel, facility, establishment, place, property or location for the purposes of inspections, sampling, information gathering and response actions; and
 - b. Carry out any other inspections, sampling, information gathering authorized by CERCLA.
2. **TO WHOM REDELEGATED.**
 - a. In the Superfund & Emergency Management Division, these authorities are redelegated from the chief of the Assessment, Emergency Response & Removal Branch to staff within SEMD/AERR and the chiefs of the Response, Removal & Emergency Planning Section and the Response, Removal & Oil Planning Section; from the chief of the Site Remediation Branch to staff within SEMD/REMB and the chief of the Federal Facilities & Post-Construction Section; and from the chief of the Lead Mining & Special Emphasis Branch to staff within SEMD/LMSE.
 - b. These authorities are redelegated from the chief of the Brownfields, Sustainable Materials Management, P2 & Land Redevelopment Branch of the Land, Chemical & Redevelopment Division to staff within LCARD/BSPR.
 - c. These authorities are redelegated from the chief of the Chemical Branch of the Enforcement & Compliance Assurance Division to staff within ECAD/CB.
3. **LIMITATIONS.** Staff within ECAD/CB may only exercise these authorities as they pertain to investigations of violations under Section 103 of CERCLA.

4. REDELEGATION AUTHORITY.

- a. These authorities may be redelegated to the staff level and no further.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Relegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 104(e), 109(a)-(b), and 122(e) of CERCLA.
- b. National Contingency Plan, 40 C.F.R. Part 300.
- c. U.S. Environmental Protection Agency Order 3510, “EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities.”
- d. Delegation 14-12, “Civil Judicial Enforcement Actions, Including Collection Actions.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-14-14F

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Cost Recovery Arbitration

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, the authority to represent EPA at cost recovery arbitration hearings, conferences, and negotiations.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief of the Superfund Branch to staff attorneys within the Office of Regional Counsel.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 104, 107, and 122(h)(2) of CERCLA.
 - b. Procedures for referral of cost recovery claims for resolution by arbitration and for representing EPA at arbitration hearings, conferences, and negotiations are published at 40 C.F.R. Part 304, Arbitration Procedures for Small Superfund Cost Recovery Claims.
 - c. Authority to enter into or exercise agency concurrence in non-judicial agreements or administrative orders for the recovery of response costs is delegated in 14-14-D, "Cost Recovery Non-Judicial Agreements and Administrative Consent Orders." Delegation 14-14-D

may become applicable in two situations under the arbitration regulation: (i) if the agency seeks to adopt a proposed arbitral decision as an administrative settlement pursuant to Section 122(h)(1) of CERCLA when the arbitration has been converted to a non-binding arbitration because costs increased to a dollar amount in excess of \$500,000, excluding interest, prior to the rendering of the final arbitral decision; or (ii) if the parties to the arbitration settle the claim as an administrative settlement pursuant to Section 122(h)(1) of CERCLA, rather than having the settlement embodied in a proposed arbitral decision. In either instance, if the total response costs at the facility exceed \$500,000, excluding interest, the agency may not compromise the claim without the prior written approval of the Attorney General.

- d. Authority to enter into or exercise agency concurrence in de minimis settlements under Section 122(g) of CERCLA is delegated in 14-14-E, “De Minimis Settlements.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-14-22

Issued: R7-BR-2, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Response Action Administrative Record

1. **AUTHORITY.** Pursuant to Section 113(k) and 117 of the Comprehensive Environmental Response, Compensation, and Liability Act and 40 C.F.R. Part 300, "National Oil and Hazardous Substances Pollution Contingency Plan" (NCP), the authority to:
 - a. Establish and make available an administrative record as the basis for the response action selection; and
 - b. Provide for public participation in developing the administrative record and adopting the response action.
2. **TO WHOM REDELEGATED.** In the Superfund & Emergency Management Division, these authorities are redelegated from the chief of the Site Remediation Branch to staff within SEMD/REMB and the chief of the Federal Facilities & Post-Construction Section; from the chief of the Assessment, Emergency Response & Removal Branch to staff within SEMD/AERR and the chiefs of the Response, Removal & Emergency Preparedness Section and the Response, Removal & Oil Planning Section; and from the chief of the Lead Mining & Special Emphasis Branch to staff within SEMD/LMSE.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Section 113(k) of CERCLA.
- b. National Contingency Plan, 40 C.F.R. Part 300.
- c. All Agency policy, guidance, and regulations related to the administrative record requirements of CERCLA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-14-25

Issued: TN R7-BR-1, 1/17/2017
Revised: TN R7-BR-2, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Notification of Trustees

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, including Sections 104(b)(2), 107(f)(2)(B) and 122(j)(1) of CERCLA, the authority to notify appropriate federal and state natural resource trustees of:
 - a. Potential damages to natural resources resulting from releases of hazardous substances, pollutants, or contaminants, and to coordinate assessments, investigations, and planning with such trustees; and
 - b. Negotiations under Section 122(j)(1) of CERCLA related to such release, and to receive notice of designation of state trustees under Section 107(f)(2)(b) of CERCLA.
2. **TO WHOM REDELEGATED.** In the Superfund & Emergency Management Division, these authorities are redelegated from the chief of the Assessment, Emergency Response & Removal Branch to staff within SEMD/AERR and the chiefs of the Response, Removal & Emergency Preparedness Section and the Response, Removal & Oil Planning Section; from the chief of the Site Remediation Branch to staff within SEMD/REMB and the chief of the Federal Facilities & Post-Construction Section; and from the chief of the Lead Mining & Special Emphasis Branch to staff within SEMD/LMSE.
3. **LIMITATIONS.** Staff within SEMD/AERR, SUPR/REMB and SUPR/LMSE and the chiefs of SEMD/AERR/RREP, SEMD/AERR/RROP, and SEMD/REMB/FFPC must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level and no further.

- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Applicable U.S. Environmental Protection Agency guidance and directives.
- b. National Contingency Plan, 40 C.F.R. Part 300.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-14-31

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Administrative Penalty Actions

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, the authority to negotiate consent agreements memorializing settlements under Section 109 of CERCLA between the agency and respondents.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chiefs of the Chemical Branch and Superfund Branch to staff attorneys within the Office of Regional Counsel.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-14-32

Issued: R7-BR-2, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Administrative Enforcement: Agency Representation at Hearings

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, the authority to:
 - a. Represent the agency in administrative enforcement actions following issuance of administrative complaint or order under Section 109(a)(1)(A) of CERCLA and/or 5 U.S.C. § 554; and
 - b. Negotiate consent agreements between the agency and respondents resulting from such enforcement actions; and
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the chief of the Superfund Branch to staff attorneys within the Office of Regional Counsel.
3. **LIMITATIONS.** This authority may only be exercised after the alleged violator files an answer or fails to file an answer within the appropriate timeframe.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. All applicable Agency guidance and directives.
 - b. Section 109 of CERCLA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Branch Delegations Manual
R7-BR-22-3B

Issued: TN R7-BR-2, 4/29/2019

CHAPTER 22

EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT

Administrative Enforcement: Agency Representation in Hearings and Negotiations

- 1. AUTHORITY.** Pursuant to the Emergency Planning and Community Right-to-Know Act, the authority to:
 - a. Represent EPA in civil administrative penalty adjudications conducted under EPCRA;
 - b. Negotiate consent agreements between the agency and respondents resulting from such enforcement actions; and
 - c. Represent the agency in such appeals.
- 2. TO WHOM REDELEGATED.**
 - a. The authority in paragraphs 1.a., 1.b., and 1.d. are redelegated from the chief of the Chemical Branch to staff attorneys within the Office of Regional Counsel.
 - b. The authority in paragraph 1.b. is redelegated from the chief of the Chemical Branch of the Enforcement & Compliance Assurance Division to staff within ECAD/CB.
- 3. LIMITATIONS.** None.
- 4. REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
- 5. ADDITIONAL REFERENCES.** Section 325 of EPCRA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Section Delegations Manual
R7-SEC-2-13

Issued: TN R7-SEC-1, 1/17/2017
Revised: TN R7-SEC-2, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Inspections and Information Gathering

1. **AUTHORITY.** Pursuant to the Clean Water Act, including Sections 308 and 311 of the CWA, the authority to:
 - a. Enter into, upon, or through any premises subject to the CWA, or in which records required to be maintained under the CWA are located; have access to and copy records; take samples, and inspect monitoring equipment and methods; and
 - b. Carry out any other inspection and information gathering activities authorized by the CWA.
2. **TO WHOM REDELEGATED.**
 - a. In the Water Division, these authorities are redelegated from the chief of the Science & Modeling Section of the Standards & Water Quality Branch to staff within WD/SAW/SAM, and from the chief of the Grants & Resources Section of the Watersheds & Grants Branch to staff within WD/WAG/GAR.
 - b. In the Superfund & Emergency Management Division, these authorities are redelegated from the chiefs of the Response, Removal & Emergency Preparedness Section and the Response, Removal & Oil Planning Section of the Assessment, Emergency Response & Removal Branch to staff within SEMD/AERR/RREP and SEMD/AERR/RROP.
 - c. In the Enforcement & Compliance Assurance Division, these authorities are redelegated from the chief of the Industrial Section of the Water Branch to staff within ECAD/WB/IS.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.

- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 308 and 311 of the CWA, and regulations developed thereunder.
- b. U.S. Environmental Protection Agency Order 3510, “EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Section Delegations Manual
R7-BR-2-22

Issued: TN R7-SEC-2, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Administrative Compliance Orders and Notices of Violation

1. **AUTHORITY.** Pursuant to Section 309(a) of the Clean Water Act, the authority to confer with persons to whom an order is issued.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief Industrial Section of the Water Branch in the Enforcement & Compliance Assurance Division to staff within ECAD/WB/IS.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** 40 C.F.R. Parts 122-125.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Section Delegations Manual
R7-SEC-2-52A

Issued: TN R7-SEC-1, 1/17/2017
Revised: TN R7-SEC-2, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Class II Administrative Penalty: Initiation of Action; Public Notice; Consultation with State; Negotiation and Signing of Consent Agreement; and Assessing Penalties

1. **AUTHORITY.** Pursuant to Sections 309(g) and 311 of the Clean Water Act, the authority to consult with States, as required.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the chief of the Industrial Section of the Water Branch in the Enforcement & Compliance Assurance Division to staff within ECAD/WB/IS.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Sections 309(g) and 311 of the CWA.
 - b. Delegations 1-37, "Hearings," and 1-38, "Adjudicatory Proceedings."
 - c. 40 C.F.R. Part 22.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Section Delegations Manual
R7-SEC-2-86

Issued: TN R7-SEC-2, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Facility Response Plans

1. **AUTHORITY.** Pursuant to Section 311(j)(5) of the Clean Water Act, as amended by the Oil Pollution Act of 1990:
 - a. To approve means to ensure the availability of private personnel and equipment to implement facility response plans for non-transportation-related onshore facilities; and
 - b. To review and approve such plans for non-transportation-related onshore facilities under Section 4202(b)(4) of OPA.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the chiefs of the Response, Removal, & Emergency Preparedness Section and the Response, Removal, & Oil Planning Section of the Assessment, Emergency Response & Removal Branch in the Superfund & Emergency Management Division to On-Scene Coordinators.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Section Delegations Manual
R7-SEC-2-87

Issued: TN R7-SEC-2, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Equipment Inspections

1. **AUTHORITY.** Pursuant to Section 311(j)(6)(A) of the Clean Water Act, as amended by the Oil Pollution Act of 1990, to require periodic inspections of containment booms and equipment used to remove discharges at non-transportation-related onshore facilities.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the chiefs of the Response, Removal, & Emergency Preparedness Section and the Response, Removal, & Oil Planning Section of the Assessment, Emergency Response & Removal Branch in the Superfund & Emergency Management Division to On-Scene Coordinators.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Section Delegations Manual
R7-SEC-2-89

Issued: TN R7-SEC-2, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Removal of Discharge or Threat of Discharge under Section 311(c) of the Clean Water Act

1. **AUTHORITY.** Pursuant to Section 311(c) of the Clean Water Act, as amended by the Oil Pollution Act of 1990, the authority to:
 - a. Remove or arrange for the removal of a discharge and to mitigate or prevent a substantial threat of a discharge;
 - b. Direct or monitor all Federal, State, and private actions;
 - c. Remove and, if necessary, destroy a vessel that is discharging or threatening to discharge;
 - d. Consult with affected trustees; and
 - e. Determine when the removal is complete.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the chiefs of the Response, Removal, & Emergency Preparedness Section and the Response, Removal, & Oil Planning Section of the Assessment, Emergency Response & Removal Branch in the Superfund & Emergency Management Division to On-Scene Coordinators.
3. **LIMITATIONS.**
 - a. Section 1011 of the OPA limits the authority in paragraph 1.e. to cases that involve the discharge of oil.
 - b. The authority in paragraphs 1.a. through 1.d. must be exercised in accordance with the National Oil and Hazardous Substances Pollution Contingency Plan (NCP) and appropriate Area Contingency Plans in order to ensure immediate and effective response.
 - c. The authority in paragraph 1.b. includes issuance of oral orders.

4. REDELEGATION AUTHORITY.

- a. These authorities may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Section Delegations Manual
R7-SEC-2-107

Issued: TN R7-SEC-2, 4/29/2019

CHAPTER 2

CLEAN WATER ACT

Enforcement of the Standards for the Use or Disposal of Sewage Sludge in all EPA Regions

1. **AUTHORITY.** The authorities as specified in delegation 2-13, pursuant to the Clean Water Act, as applied to conducting inspections, information gathering and enforcement of the Standards for the Use or Disposal of Sewage Sludge outside the geographic boundary of Region 7 on behalf of other regions as the National Biosolids Center of Excellence.
2. **TO WHOM REDELEGATED.** These authorities are redelegated to the same officials specifically designated in redelegation R7-SEC-2-13.
3. **LIMITATIONS.**
 - a. These authorities will continue to apply in all EPA regions, however any region may refer a biosolids matter to Region 7 for further investigation and/or enforcement. Region 7 may accept or decline the referral.
 - b. These authorities must be exercised in the manner specified by redelegations R7-SEC-2-13.
 - c. Before exercising these authorities for matters located in whole or in part outside of Region 7, the specific delegatee of such authority must consult with the regional administrator or designee of the affected region. A region may elect to waive this limitation, if it so wishes, by notifying Region 7 of such waiver in writing.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Section Delegations Manual
R7-SEC-7-8

Issued: TN R7-SEC-1, 1/17/2017
Revised: TN R7-SEC-2, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Inspections and Information Gathering

1. **AUTHORITY.** Pursuant to the Clean Air Act, including Sections 114 and 307 of the CAA, the authority to:
 - a. Enter, upon or through, the premises of any person who owns or operates an emission source, who manufactures emission control equipment or process equipment, who the Administrator believes may have information necessary for the purposes set forth in Section 114 of the CAA, or who is subject to any requirements of the CAA; and to enter premises where records required to be maintained under the CAA are located;
 - b. Have access, at reasonable times, to inspect and copy any records and inspect monitoring equipment or methods, which are required under the CAA; and to sample any emissions, which are required to be sampled under the CAA; and
 - c. Carry out any other inspection and information gathering activities authorized by the CAA.
2. **TO WHOM REDELEGATED.** In the Air & Radiation Division, these authorities are redelegated from the chief of the Atmospheric Programs Section of the Air Quality Planning Branch to staff within ARD/AQPB/AtPS; and from the chief of the Community Partnership Programs Section of the Air Quality Planning Branch to staff within ARD/AQPB/CPPS.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 114(a) and (d) and 307(a) of the CAA.
- b. U.S. Environmental Protection Agency Order 3510, “EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Section Delegations Manual
R7-SEC-7-16

Issued: TN R7-SEC-2, 4/29/2019

CHAPTER 7

CLEAN AIR ACT

Parts A and C of Title II of the CAA: Testing, Access and Entry

1. **AUTHORITY.** Pursuant to the Clean Air Act, including Sections 206 and 208 of the CAA, the authority to:
 - a. Enter, at reasonable times, any plant or other establishment of such manufacturer for the purposes of conducting tests of vehicles or engines in the hands of the manufacturer, pursuant to Section 206(c)(1) of the CAA;
 - b. Inspect, at reasonable times, records, files, papers, processes, controls, and facilities used by such manufacturer in conducting tests under the regulations pursuant to Section 206(c)(2) of the CAA;
 - c. Have access to and copy records required by Section 208(a) of the CAA;
 - d. For the purposes of enforcement of Section 208 of the CAA, to: (1) enter, at reasonable times, any establishment of the manufacturer, or of any person whom the manufacturer engages to perform any activity required by Section 208(a), for the purposes of inspecting or observing any activity conducted pursuant to Section 208(a); and (2) to inspect records, files, papers, processes, controls, and facilities used in performing any activity required by Section 208(a) by such manufacturer or by any person whom the manufacturer engages to perform any such activity, or any other person subject to the requirements of Part A and Part B, pursuant to 208(a); and
 - e. Carry out any other inspection and information gathering activities authorized by Title II.
2. **TO WHOM REDELEGATED.** In the Air & Radiation Division, these authorities are redelegated from the chief of the Atmospheric Programs Section of the Air Quality Planning Branch to staff within ARD/AQPB/AtPS, and from the chief of the Community Partnership Programs Section of the Air Quality Planning Branch to staff within ARD/AWPB/CPPS.

3. LIMITATIONS. The authority in paragraph 1.d. does not include the authority to issue written information requests, which is reserved to the director of the Enforcement & Compliance Assurance Division and the director of the Air & Radiation Division.

4. REDELEGATION AUTHORITY.

- a. These authorities may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. 40 C.F.R. Parts 85, 86, 89-92, 94, 600, 1033, 1036, 1037, 1039, 1042, 1045, 1048, 1051, 1054, 1060, 1065 and 1068.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Section Delegations Manual
R7-SEC-8-8

Issued: TN R7-SEC-1, 1/17/2017
Revised: TN R7-SEC-2, 4/29/2019

Chapter 8

SOLID WASTE DISPOSAL ACT

Inspections and Information Gathering

1. **AUTHORITY.** Pursuant to the Solid Waste Disposal Act, including Sections 3001 and 3007 of the SWDA, the authority to:
 - a. Enter, inspect, and obtain samples from any establishment or other place where hazardous or other wastes are or have been generated, stored, treated, disposed of or transported from; to inspect and have access to and copy all records related to such waste;
 - b. Conduct monitoring and testing; and
 - c. Carry out any other inspection and information gathering activities authorized by SWDA.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the chief of the RCRA Direct Implementation Section of the RCRA Oversight, Authorization, Grants & PCB Branch in the Land, Chemical & Redevelopment Division to staff within LCARD/ROAG/RDIS.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Sections 3001(b)(3)(B) and 3007 of the SWDA.

- b. See also Section 3013 of the SWDA for authority to require monitoring, testing, analysis and reporting.
- c. U.S. Environmental Protection Agency Order 3510, “EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Section Delegations Manual
R7-SEC-8-9A

Issued: TN R7-SEC-2, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Administrative Enforcement: Negotiation of Consent Agreements

1. **AUTHORITY.** Pursuant to the Solid Waste Disposal Act, the authority to negotiate consent agreements memorializing settlements between the agency and respondents.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief of the RCRA Section of the Chemical Branch in the Enforcement & Compliance Assurance Division to staff within ECAD/CHEM/RCRA.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Sections 3001(b)(3)(B)(iv) and 3008 (except 3008(h)) of the Solid Waste Disposal Act.
 - b. Delegation 8-31, "Determination That There Is or Has Been a Release."
 - c. Delegation R7-8-31, "Determination That There Is or Has Been a Release."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Section Delegations Manual
R7-SEC-8-9B

Issued: TN R7-SEC-2, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Administrative Enforcement: Agency Representation in Hearings

1. **AUTHORITY.** To negotiate consent agreements between the agency and respondents resulting from enforcement actions conducted under the Solid Waste Disposal Act and 5 U.S.C. § 554.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief of the RCRA Section of the Chemical Branch in the Enforcement & Compliance Assurance Division to staff within ECAD/CHEM/RCRA.
3. **LIMITATIONS.** Regional personnel may exercise this authority only for those cases initiated by the region.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Section Delegations Manual
R7-SEC-8-20

Issued: TN R7-SEC-1, 1/17/2017
Revised: TN R7-SEC-2, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Monitoring, Testing, Analysis, and Reporting

1. **AUTHORITY.** Pursuant to the SWDA, including Section 3013 of the SWDA, the authority to conduct monitoring, testing, or analysis (or any combination thereof) and authorize a State or local authority or other person to carry out such activity.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the chief of the RCRA Direct Implementation Section of the RCRA Oversight, Authorization, Grants & PCB Branch in the Land, Chemical & Redevelopment Division to staff within LCARD/ROAG/RDIS.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Section 3013 of the SWDA.
 - b. *See also* Section 3007 of the SWDA for additional information gathering authority.
 - c. EPA Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Section Delegations Manual
R7-SEC-8-24

Issued: TN R7-SEC-1, 1/17/2017
Revised: TN R7-SEC-2, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Inspections and Information Gathering (Subtitle I)

1. **AUTHORITY.** Pursuant to Subtitle I of the Solid Waste Disposal Act, as amended, including Section 9005 of the SWDA, the authority to:
 - a. Enter and inspect any establishment or other place where an underground storage tank (or any tank subject to study under Subtitle I that is used for storing regulated substances) is located; to inspect and have access to and copy all records relating to such tanks; to conduct monitoring and testing of such tanks, associated equipment, contents, or surrounding soils, air, surface water or ground water; and to inspect and obtain samples of any regulated substances contained in such tanks; and
 - b. Carry out any other inspection and information gathering activities authorized by Subtitle I of the SWDA.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the chief of the Tanks & Lead-Based Paint Section of the Tanks, Toxics & Pesticides Branch in the Land, Chemical & Redevelopment Division to staff within LCARD/TTPB/TLBP
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. The authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**

- a. Section 9005 of the SWDA.
- b. U.S. Environmental Protection Agency Order 3510, “EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities.”



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Section Delegations Manual
R7-SEC-8-32

Issued: TN R7-SEC-2, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Administrative Enforcement – Corrective Action Authority: Negotiation of Consent Agreements

1. **AUTHORITY.** Pursuant to Subtitle C, Section 3008(h) of the Solid Waste Disposal Act, the authority to negotiate consent agreements memorializing settlements between the agency and respondents.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief of the RCRA Direct Implementation Section of the RCRA Oversight, Authorization, Grants & PCB Branch in the Land, Chemical & Redevelopment Division to staff within LCARD/ROAG/RDIS.
3. **LIMITATIONS.**
 - a. Unless waived by memorandum, staff within LCARD/ROAG/RDIS must obtain the concurrence of the assistant administrator for the Office of Enforcement & Compliance Assurance prior to exercising this authority.
 - b. Regional personnel may only exercise these authorities for those cases initiated by the region.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Delegation 8-31, "Determination That There Is or Has Been a Release."
 - b. Delegation R7-8-31, "Determination That There Is or Has Been a Release."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Section Delegations Manual
R7-SEC-8-33

Issued: TN R7-SEC-2, 4/29/2019

CHAPTER 8

SOLID WASTE DISPOSAL ACT

Performance of Federal Corrective Actions at Leaking Underground Storage Tanks

1. **AUTHORITY.** Pursuant to Subtitle I of the Solid Waste Disposal Act, as amended, the authority to enter property, and to perform corrective actions using Leaking Underground Storage Tank (LUST) Trust Fund funds.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief of the RCRA Direct Implementation Section of the RCRA Oversight, Authorization, Grants & PCB Branch in the Land, Chemical & Redevelopment Division to staff within LCARD/ROAG/RDIS.
3. **LIMITATIONS.**
 - a. Staff within LCARD/ROAG/RDIS must obtain the concurrence of the director of the Office of Underground Storage Tanks, or her or his designee, prior to exercising this authority for any obligations up to \$250,000 or for any amendment that does not bring the total obligation above \$250,000.
 - b. Staff within LCARD/ROAG/RDIS must obtain the concurrence of the assistant administrator of the Office of Land & Emergency Management, or her or his designee, prior to exercising this authority for any obligations above \$250,000 or for any amendment that brings the total obligation above \$250,000.
 - c. Staff within LCARD/ROAG/RDIS may exercise this authority and must comply with Federal lead UST corrective action guidance issued by the AA for OLEM, or her or his designee, for emergency situations with obligations not exceeding \$50,000.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level and no further.

- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Superfund Removal directives.
- b. OLEM Dir. No. 9610.9A and subsequent amendments.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Section Delegations Manual
R7-SEC-12-2A

Issued: TN R7-SEC-2, 4/29/2019

CHAPTER 12

TOXIC SUBSTANCES CONTROL ACT

Administrative Enforcement: Negotiation of Consent Agreements

1. **AUTHORITY.** To negotiate consent agreements memorializing settlements between the agency and respondents.
2. **TO WHOM REDELEGATED.** This authority is redelegated from the chief of the RCRA Section of the Chemical Branch in the Enforcement & Compliance Assurance Division to staff within ECAD/CB/RCRA.
3. **LIMITATIONS.** The staff of ECAD/CB/RCRA must consult with the assistant administrator for the Office of Enforcement & Compliance Assurance, or her or his designee, before exercising this authority, unless such consultation is waived by memorandum.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.** Sections 15 and 16 of TSCA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Section Delegations Manual
R7-SEC-12-2A

Issued: TN R7-SEC-2, 4/29/2019

CHAPTER 12

TOXIC SUBSTANCES CONTROL ACT

Administrative Enforcement: Negotiation of Consent Agreements & Representation in Hearings

1. AUTHORITY.

- a. To represent EPA in civil penalty adjudications conducted under the Toxic Substances Control Act and 5 U.S.C. § 554;
- b. To negotiate consent agreements between the agency and respondents resulting from such enforcement actions; and
- c. To represent the agency in appeals from administrative determinations.

2. TO WHOM REDELEGATED.

This authority is redelegated from the chief of the RCRA Section of the Chemical Branch in the Enforcement & Compliance Assurance Division to staff within ECAD/CHEM/RCRA.

3. LIMITATIONS.

None.

4. REDELEGATION AUTHORITY.

- a. These authorities may not be redelegated.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

None.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Section Delegations Manual
R7-SEC-14-2

Issued: TN R7-SEC-2, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Response

1. **AUTHORITY.** Pursuant to Section 104 of the Comprehensive Environmental Response, Compensation, and Liability Act and 40 C.F.R. Part 300, "National Oil and Hazardous Substances Pollution Contingency Plan," the authority to determine the need for emergency response and to approve and initiate removal actions costing up to \$250,000 where site conditions constitute an emergency and up to \$50,000 where site conditions do not constitute an emergency.
2. **TO WHOM REDELEGATED.** These authorities are redelegated from the chiefs of the Response, Removal, & Emergency Preparedness Section and the Response, Removal, & Oil Planning Section of the Assessment, Emergency Response & Removal Branch in the Superfund & Emergency Management Division to On-Scene Coordinators.
3. **LIMITATIONS.**
 - a. OSCs may exercise these authorities only at sites located within Region 7, unless there is a memorandum of agreement that authorizes cross-boundary emergency response.
 - b. Unless waived by memorandum, the assistant administrator for the Office of Land & Emergency Management must concur prior to the initiation of a removal action at non-NPL sites where the proposed action is on the List of Nationally Significant or Precedent-Setting Removal Action categories.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. CERCLA §§ 101(23), 101(24), 105, 113, 116, 117, 118, 120, 121, and 126(b).
- b. 40 C.F.R. Part 35, Subpart O, “Cooperative Agreements and Superfund State Contracts for Superfund Response Actions.”
- c. Delegation 14-1, “Superfund State Contracts and Cooperative Agreements.”
- d. Delegation 14-17, “National Priorities List.”
- e. Delegation 14-22, “Response Action Administrative Record.”
- f. Delegation 14-30, “Acquisition of Property.”
- g. Limited Contracting Officer Warrant Authority issued to designated OSCs.
- h. “Use of Non-Time-Critical Removal Authority in Superfund Response Actions,” OSWER Dir. No. 9360.0-40P, February 14, 2000, specifying the Director, Office of Emergency and Remedial Response/OSWER will consult with the Director, Office of Site Remediation Enforcement/OECA prior to concurring on any engineering evaluation/cost analysis approval memorandum for a Fund-lead action that could exceed \$6 million.
- i. All other directives, policy, and guidance used by OSWER and OECA pertaining to response and consultation requirements.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Section Delegations Manual
R7-SEC-14-6

Issued: TN R7-SEC-1, 1/17/2017
Revised: TN R7-SEC-2, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Inspections, Sampling, Information Gathering, and Entry for Response

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, including Sections 104, 109, and 122 of CERCLA, the authority to:
 - a. Enter any vessel, facility, establishment, place, property or location for the purposes of inspections, sampling, information gathering and response actions; and
 - b. Carry out any other inspections, sampling, information gathering authorized by CERCLA.
2. **TO WHOM REDELEGATED.** In the Superfund & Emergency Management Division, these authorities are redelegated from the chiefs of the Response, Removal & Emergency Preparedness Section and the Response, Removal & Oil Planning Section of the Assessment, Emergency Response & Removal Branch to On-Scene Coordinators within SEMD/AERR/RREP and SEMD/AERR/RROP; and from the chief of the Federal Facilities & Post-Construction Section to staff within SEMD/REMB/FFPC.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. These authorities may not be redelegated.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Relegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. Sections 104(e), 109(a)-(b), and 122(e) of CERCLA.

- b. National Contingency Plan, 40 C.F.R. Part 300.
- c. U.S. Environmental Protection Agency Order 3510, "EPA Federal Credentials for Inspections and Enforcement of Federal Environmental Statutes and Other Compliance Responsibilities."
- d. Delegation 14-12, "Civil Judicial Enforcement Actions, Including Collection Actions."



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Section Delegations Manual
R7-SEC-14-22

Issued: R7-SEC-2, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Response Action Administrative Record

1. **AUTHORITY.** Pursuant to Section 113(k) and 117 of the Comprehensive Environmental Response, Compensation, and Liability Act and 40 C.F.R. Part 300, "National Oil and Hazardous Substances Pollution Contingency Plan" (NCP), the authority to:
 - a. Establish and make available an administrative record as the basis for the response action selection; and
 - b. Provide for public participation in developing the administrative record and adopting the response action.
2. **TO WHOM REDELEGATED.** In the Superfund & Emergency Management Division, these authorities are redelegated from the chief of the Federal Facilities & Post-Construction Section of the Site Remediation Branch to staff within SEMD/REMB/FFPC; and from the chiefs of the Response, Removal & Emergency Preparedness Section and the Response, Removal & Oil Planning Section of the Assessment, Emergency Response & Removal Branch to staff within SEMD/AERR/RREP and SEMD/AERR/RROP.
3. **LIMITATIONS.** None.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the staff level and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Section 113(k) of CERCLA.
- b. National Contingency Plan, 40 C.F.R. Part 300.
- c. All Agency policy, guidance, and regulations related to the administrative record requirements of CERCLA.



REDELEGATION OF AUTHORITY

U.S. EPA Region 7

Section Delegations Manual
R7-SEC-14-25

Issued: TN R7-SEC-1, 1/17/2017
Revised: TN R7-SEC-2, 4/29/2019

CHAPTER 14

COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT

Notification of Trustees

1. **AUTHORITY.** Pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, including Sections 104(b)(2), 107(f)(2)(B), and 122(j)(1) of CERCLA, the authority to notify appropriate federal and state natural resource trustees of:
 - a. Potential damages to natural resources resulting from releases of hazardous substances, pollutants, or contaminants, and to coordinate assessments, investigations, and planning with such trustees; and
 - b. Negotiations under Section 122(j)(1) of CERCLA related to such release, and to receive notice of designation of state trustees under Section 107(f)(2)(b) of CERCLA.
2. **TO WHOM REDELEGATED.** In the Superfund & Emergency Management Division, these authorities are redelegated from the chiefs of the Response, Removal & Emergency Preparedness Section and the Response, Removal & Oil Planning Section of the Assessment, Emergency Response & Removal Branch to staff within SEMD/AERR/RREP and SEMD/AERR/RROP; and from the chief of the Federal Facilities & Post-Construction Section of the Site Remediation Branch to staff within SEMD/REMB/FFPC.
3. **LIMITATIONS.** Staff within SEMD/AERR/RREP, SEMD/AERR/RROP, and SEMD/REMB/FFPC must obtain the concurrence of the regional counsel, or her or his designee, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may not be redelegated.

- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Applicable U.S. Environmental Protection Agency guidance and directives.
- b. National Contingency Plan, 40 C.F.R. Part 300.